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Council Proceedings

Official Report

Bengal Legislative Council

Seventeenth Session, 1925

17th to 19th February 1925

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GOVERNMENT OF BENGAL.

GOVERNOR OF BENGAL.

His Excellency the Right Hon'ble VICTOR ALEXANDER GEORGE ROBERT BULWER-LYTTON, Earl of Lytton, P.C., G.C.I.E.

MEMBERS OF THE EXECUTIVE COUNCIL.

The Hon'ble Sir ABD-UR-RAHIM, Kt., Vice-President, in charge of the following portfolios:—

1. Judicial.
2. Emigration.
3. Immigration.
4. Jurisdiction.
5. Legislative.
6. Haj Pilgrimage.

The Hon'ble Sir HUGH STEPHENSON, K.C.I.E., C.S.I., I.C.S., in charge of the following portfolios:—

1. Appointment.
2. Political (excluding Haj Pilgrimage).
3. Police.
4. Jails.
5. Ecclesiastical.

The Hon'ble Mr. J. DONALD, C.S.I., C.I.E., I.C.S., in charge of the following portfolios:—

1. Finance.
2. Separate Revenue.
3. Commerce and Reserved Industrial Subjects.
4. Marine.
5. European Education.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, in charge of the following portfolios:—

1. Land Revenue.
2. Land Acquisition.
3. Forests.
4. Irrigation.
5. Excluded Areas.

GOVERNMENT OF BENGAL.

PRINCIPAL OFFICERS OF THE BENGAL LEGISLATIVE COUNCIL.

PRESIDENT.

The Hon'ble Sir EVAN COTTON, KT., C.I.E.

DEPUTY PRESIDENT.

DR. ABDULLA AL-MAMUN SUHRAWARDY.

Panel of Chairmen for the Seventeenth Session.

Kumar SHIB SHEKHARESWAR RAY.
Sir WILLOUGHBY CAREY.
Babu JATINDRA NATH BASU.
Maulvi EKRAMUL HUQ.

Secretary to the Council—J. BARTLEY, I.C.S.

Assistant Secretaries to the Council—A. DE C. WILLIAMS, I.C.S., A. M. HUTCHISON and K. N. MAJUMDAR.

Registrar to the Council—J. W. MCKAY.

BENGAL LEGISLATIVE COUNCIL.

ALPHABETICAL LIST OF MEMBERS.

A

Addams-Williams, Mr. C., C.I.E. (Nominated Official.)
Addy, Babu Amulya Dhone. (Bengal National Chamber of Commerce.)
Ahamad, Maulvi Asimuddin. [Tippera (Muhammadan).]
Ahmed, Maulvi Tayebuddin. [Mymensingh East (Muhammadan).]
Ahmed, Maulvi Zannoor. [Burdwan Division South (Muhammadan).]
Aley, Khan Bahadur S. Mahboob. [Calcutta North (Muhammadan).]
Ali, Maulvi Sayyed Sultan. [Khulna (Muhammadan).]
Ali, Mr. Altaf. [Mymensingh East (Muhammadan).]

B

Bagchi, Babu Romes Chandra. [Malda (Non-Muhammadan).]
Baksh, Maulvi Kader. [Dinajpur (Muhammadan).]
Band, Mr. R. N. (Indian Jute Mills Association.)
Banerjea, Dr. Pramathanath. [Calcutta East (Non-Muhammadan).]
Banerjee, Babu Satya Kishore. (Burdwan Landholders.)
Banerjee, Mr. A. C. [Calcutta South Central (Non-Muhammadan).]
Banerjee, Rai Bahadur Abinash Chandra. (Nominated Non-official.)
Barma, Rai Sahib Panchanan, M.B.E. [Rangpur (Non-Muhammadan).]
Barton, Mr. H. (Anglo-Indian.)
Basu, Babu Jatindra Nath. [Calcutta North (Non-Muhammadan).]
Basu, Babu Sarat Chandra. [Burdwan (Non-Muhammadan).]
Beg, Khan Bahadur Mirza Shujaat Ali. [24-Parganas Municipal (Muhammadan).]
Best, the Hon'ble S. J. (Indian Tea Assiciation.)
Birley, Mr. L., C.I.E. (Nominated Official.)
Bose, Babu Bejoy Krishna. (Calcutta University.)

C

Carey, Sir Willoughby, Kt. (Indian Mining Association.)
Chakravarti, Mr. Byomkes. [24-Parganas Rural South (Non-Muhammadan).]
Chakravorti, Babu Jogindra Chandra. [Dinajpur (Non-Muhammadan).]
Chakravorty, Babu Sudarsan. [Rajshahi (Non-Muhammadan).]
Chatterjee, Babu Umes Chandra. [Bankura East (Non-Muhammadan).]
Chaudhuri, Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, C.I.E. [Dacca West Rural (Muhammadan).]
Chaudhuri, Rai Harendranath. [24-Parganas Rural North (Non-Muhammadan).]

Chaudhury, Maulvi Md. Nurul Huq. [Chittagong (Muhammadan).]
Chaudhury, Maulvi Saiyed Abdur Rob. [Faridpur South (Muhammadan).]
Choinuddin, Khan Bahadur Maulvi Md. [Rajshahi North (Muhammadan).]
Chowdhury, Maulvi Fazlal Karim. [Bakarganj North (Muhammadan).]
Chunder, Mr. Nirmal Chandra. [Calcutta North Central (Non-Muhammadan).]
Cohen, Mr. D. J. (Nominated Non-official.)
Cooper, Mr. C. G. (Indian Jute Mills Association.)
Corcoran, Mr. B. J. [Dacca and Chittagong (European).]
Currie, Sir William, Kt. (Bengal Chamber of Commerce.)

D

Das, Babu Charu Chandra. (Nominated Non-official.)
Das, Dr. Mohini Mohon. [Faridpur South (Non-Muhammadan).]
Das, Mr. C. R. [Midnapore South (Non-Muhammadan).]
Das Gupta, Dr. J. M. [Bogra *cum* Pabna (Non-Muhammadan).]
Datta, Babu Akhil Chandra. [Tippera (Non-Muhammadan).]
Daud, Mr. M. (Nominated Non-official.)
De, Mr. K. C., C.I.E. (Nominated Official.)
Dey, Babu Boroda Prosad. [Hooghly Municipal (Non-Muhammadan).]
Dey, Mr. G. G. (Nominated Official.)
Donald, the Hon'ble Mr. J., C.S.I., C.I.E. (Member, Executive Council.)
Doss, Rai Bahadur Pyari Lal, M.B.E. [Dacca City (Non-Muhammadan).]
Dutt, Mr. G. S. (Nominated Official.)

E

Eddis, Mr. B. E. G. (Bengal Chamber of Commerce.)

F

Faroqui, Khan Bahadur, K. G. M. (Nominated Non-official.)
Forrester, Mr. J. Campbell. [Presidency and Burdwan (European).]

G

Gafur, Maulvi Abdul. [Pabna (Muhammadan).]
Ganguly, Babu Khagendra Nath. [Howrah Muncipal (Non-Muhammadan).]
Ghuznavi, Hadji Mr. A. K. Abu Ahmed Khan. [Mymensingh West (Muhammadan).]
Godfrey, Sir George, Kt. (Bengal Chamber of Commerce.)
Goenka, Rai Bahadur Badridas. (Bengal Marwari Association.)
Geode, Mr. S. W. (Nominated Official.)

Guha, Mr. P. N. (Nominated Non-official.)
Gurner, Mr. C. W. (Nominated Official.)

H

Haldar, Mr. S. N. [Calcutta South (Non-Muhammadan).]
Haq, Khan Bahadur Kazi Zahirul. [Dacca East Rural (Muhammadan).]
Haq, Shah Syed Emdadul. [Tippera (Muhammadan).]
Hopkyns, Mr. W. S., O.B.E. (Nominated Official.)
Hoque, Maulvi Sayedal. [Noakhali (Muhammadan).]
Hossain, Khan Bahadur Maulvi Musharruf. [Malda *cum* Jalpaiguri (Muhammadan).]
Hossain, Maulvi Wahed. [Barrackpore Municipal (Muhammadan).]
Huq, Maulvi A. K. Fazl-ul. [Bakarganj West (Muhammadan).]
Huq, Maulvi Ekramul. [Murshidabad (Muhammadan).]

J

James, Mr. F. E. [Presidency and Burdwan (European).]
Joardar, Maulvi Aftab Hossain. [Nadia (Muhammadan).]

K

Khaitan, Babu Debi Prosad. (Nominated Non-official.)
Khan, Babu Debendra Lal. [Midnapore North (Non-Muhammadan).]
Khan, Maulvi Abdur Raschid. [Noakhali (Muhammadan).]
Khan, Maulvi Amanat. [Chittagong (Muhammadan).]
Khan, Maulvi Mahi Uddin. [Rangpur East (Muhammadan).]

L

Lal Mahammed, Haji. [Rajshahi South (Muhammadan).]
Law, Raja Reshee Case, C.I.E. (Bengal National Chamber of Commerce.)
Liddell, Mr. H. C. (Nominated Official.)

M

Mahammad, Maulvi Basar. [Rangpur West (Muhammadan).]
Maity, Babu Mahendra Nath. [Midnapore South (Non-Muhammadan).]
Masih, Mr. Syed M. [Faridpur North (Muhammadan).]
Mitra, Babu Jogendra Nath. [Jessore South (Non-Muhammadan).]
Mitra, Babu Satyendra Chandra. [Noakhali (Non-Muhammadan).]
Mitter, Sir Provash Chunder, Kt., C.I.E. (Presidency Landholders.)
Moreno, Dr. H. W. B. (Anglo-Indian.)
Morgan, Mr. G. (Bengal Chamber of Commerce.)

Mukerjea, Babu Taraknath. [Hooghly Rural (Non-Muhammadan).]
Mukerji, Mr. S. C. (Nominated Non-official.)

N

Nandy, Maharaj Kumar Sris Chandra. [Murshidabad (Non-Muhammadan).]
Nasker, Babu Hem Chandra. [24-Parganas Rural Central (Non-Muhammadan).]
Nazimuddin, Khaje. [Bakarganj South (Muhammadan).]
Neogi, Babu Manmohon. [Mymensingh West (Non-Muhammadan).]

O

Oaten, Mr. E. F. (Nominated Official.)

P

Pahlowan, Maulvi Md. Abdul Jubbar. [Mymensingh West (Muhammadan).]
Parrott, Mr. P. (Bengal Chamber of Commerce.)
Phelps, Mr. T. J. (Calcutta Trades Association.)

Q

Quader, Maulvi Abdul. [Jessore South (Muhammadan).]

R

Rahim, the Hon'ble Sir Abd-ur., Kt. (Member, Executive Council.)
Rahman, Mr. A. F. (Dacca University.)
Raikat, Mr. Prasanna Deb. [Jalpaiguri (Non-Muhammadan).]
Ray, Babu Abanish Chandra. [Birbhum (Non-Muhammadan).]
Ray, Babu Anilbaran. [Bankura West (Non-Muhammadan).]
Ray, Babu Nagendra Narayan. [Rangpur (Non-Muhammadan).]
Ray, Babu Surendra Nath. [24-Parganas Municipal South (Non-Muhammadan).]
Ray, Dr. Kumud Sankar. [Faridpur North (Non-Muhammadan).]
Ray, Kumar Shib Shekhareswar. (Rajshahi Landholders.)
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra. (Member, Executive Council.)
Ray Chaudhuri, Mr. K. C. (Nominated Non-official.)
Roy, Babu Manmatha Nath. [Howrah Rural (Non-Muhammadan).]
Roy, Babu Satcowripati. [Calcutta North-West (Non-Muhammadan).]
Roy, Dr. Bidhan Chandra. [24-Parganas Municipal North (Non-Muhammadan).]
Roy, Mr. D. N. [Jessore North (Non-Muhammadan).]

Roy, Mr. Kiran Sankar. [Dacca Rural (Non-Muhammadan).]
Roy, Mr. Tarit Bhusan. (Bengal Mahajan Sabha.)
Roy, Raja Maniloll Singh, C.I.E. [Burdwan (Non-Muhammadan).]
Roy Chaudhuri, Babu Sailaja Nath. [Khulna (Non-Muhammadan).]
Roy Choudhuri, Rai Bahadur Satyendra Nath. [Bakarganj South (Non-Muhammadan).]

S

Salam, Khan Bahadur Maulvi Abdus. [Jessore North (Muhammadan).]
Sarkar, Babu Hemanta Kumar. [Nadia (Non-Muhammadan).]
Sarkar, Maulvi Allah Buksh. [Dacca City (Muhammadan).]
Sarker, Babu Naliniranjan. [Mymensingh East (Non-Muhammadan).]
Sen, Mr. N. C. [Bakarganj North (Non-Muhammadan).]
Sen Gupta, Mr. J. M. [Chittagong (Non-Muhammadan).]
Singha, Mr. Arun Chandra. (Chittagong Landholders.)
Skinner, Mr. S. A. (Bengal Chamber of Commerce.)
Stephenson, the Hon'ble Sir Hugh, K.C.I.E., C.S.I. (Member, Executive Council.)
Suhrawardy, Dr. A. [24-Parganas Rural (Muhammadan).]
Suhrawardy, Mr. Huseyn Shaheed. [Calcutta South (Muhammadan).]
Swan, Mr. J. A. L., C.I.E. (Nominated Official.)

T

Tarafdar, Maulvi Rajib Uddin. [Bogra (Muhammadan).]
Travers, Mr. W. L., C.I.E., O.B.E. [Rajshahi (European).]

V

Villiers, Mr. Edward. [Presidency and Burdwan (European).]

W

Wilson, Lt.-Col. R. P., F.R.C.S., D.P.H., V.H.S., I.M.S. (Nominated Official.)
Woodhead, Mr. J. A. (Nominated Official.)

Y

Yasin, Maulvi Muhammad. [Burdwan Division North (Muhammadan).]

THE BENGAL LEGISLATIVE COUNCIL PROCEEDINGS.

(Official Report of the Seventeenth Session.)

VOLUME XVII.—No. 2.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Tuesday, the 17th February, 1925, at 3 P.M.

Present :

The Hon'ble the President in the Chair, the four Hon'ble Members of the Executive Council and 125 nominated and elected members.

Oath or Affirmation.

The following members made an oath or affirmation of their allegiance to the Crown :—

Mr. K. C. DE, C.I.E.

Lt.-Col. R. P. WILSON, F.R.C.S., D.P.H., V.H.S., I.M.S.

Mr. C. W. GURNER.

The Hon'ble S. J. BEST.

Certification of the Bengal Criminal Law Amendment Bill.

Mr. PRESIDENT (the Hon'ble Sir Evan Cotton): Order, order! I have it in command from His Excellency the Governor of Bengal to announce that on the 10th of January, 1925, His Excellency under sub-section (*1*) of section 72E of the Government of India Act certified that the passage of the Bengal Criminal Law Amendment Bill, 1925, is essential for the discharge of his responsibility for the reserved subject of Administration of Justice and by his signature on the 19th of January, 1925, made the Bill an Act of the local legislature in the form of the Bill as proposed to be introduced in the Council.

Death of a former member.

Mr. PRESIDENT: The Council will, I am sure, have heard with very great regret of the death on February 9 of Babu Kalinath Mitter, C.I.E., a former member of the Council. He had reached the ripe old age of 85 and for several years past had withdrawn from public life. But his record of service was both long and distinguished. He was a member of the Bengal Legislative Council in the years 1886 and 1887 during the Lieutenant-Governorships of Sir Rivers Thompson and Sir Steuart Bayley. With his death Sir Alfred Croft and Sir Steuart himself remain the sole survivors of the 13 gentlemen who formed in the latter year the entire legislative body for the three provinces of Bengal, Bihar and Orissa. He was also for twenty-four years a member of the Calcutta Corporation. His connection with that body dated as far back as the year 1875: and it was his intimate knowledge of municipal affairs which led to his nomination as a member of the provincial legislature in 1886. All will remember the occasion two years ago when he celebrated the jubilee of his admission as a Solicitor, and when all branches of the legal profession joined in their congratulations. Those congratulations were well-deserved. My own personal associations with him in former days were so intimate that memories crowd thick and fast and I feel it difficult to epitomise the feelings which we all entertained towards him. But we shall all agree in describing him as a man whose sagacity, sobriety and strong common sense were assets of no mean value to his countrymen. No man could wish for a better epitaph.

I propose, with the leave of the Council, to send a letter of condolence to the relatives of late Babu Kalinath Mitter. Those who are in favour of my proposal will kindly stand up.

(All the members stood up.)

Thank you, gentlemen.

Election of Deputy President.

Mr. PRESIDENT: The Council will now proceed to the election of Mr. Deputy President.

I invite attention to the provisions of section 4 (2) of the Bengal Legislative Council Rules and Standing Orders, which run as follows:—

"4 (2) Every member who wishes to propose a member for election must—

(i) ascertain previously that the member is willing to serve if elected; and

(ii) hand to the President a notice containing the name of the member whom he desires to propose, signed by himself and some other member as seconder."

Will any member who desires to make a nomination kindly hand in his notice?

(Notices were then collected.)

Mr. PRESIDENT: Order, order! I have received two nominations —(1) that of Mr. P. N. Guha nominated by Babu Amulya Dhone Addy and seconded by Khan Bahadur Maulvi Md. Choinuddin, and (2) Dr. A. Suhrawardy nominated by Mr. Nirmal Chandra Chunder and seconded by Maulvi Abdul Gafur and also nominated by Mr. H. S. Suhrawardy and seconded by Mr. N. C. Sen.

The ballot will be taken as follows: Two ballot boxes have been provided, one in the "No" lobby and one in the "Aye" lobby. Members in the west and north-west blocks are requested to enter the "Aye" lobby by the door near the western gallery, record their votes in the screened enclosure provided and re-enter the Chamber by the door at the opposite end. Members in the north, north-east and east blocks are requested to proceed through the door at the lower end of the "No" lobby, similarly record their votes in the screened enclosure provided and re-enter the Chamber through the door at the upper end near the western gallery.

The Secretary and his assistants will now proceed to give a ballot paper to each member present.

(Ballot papers were then distributed.)

Mr. PRESIDENT: Gentlemen, you will now proceed to ballot.

The ballotting then proceeded.

Mr. PRESIDENT: The ballot papers have been counted with the following result :—

For Dr. A. Suhrawardy—70
For Mr. P. N. Guha—55

One ballot paper is unmarked and has been rejected. The name of Dr. Suhrawardy will be submitted to His Excellency the Governor for his approval.

Mr. PRESIDENT: Before I call on the Hon'ble Sir Abd-ur-Rahim to move his resolution I may explain the procedure I intend to adopt. I propose to call upon the Hon'ble Member to move his resolution and I shall then call on each one of the movers of the amendments, which may either be moved or withdrawn, as the case may be. I shall then throw them all open for general discussion, at the conclusion of which I shall put each of the amendments in the order in which they stand on the paper. Lastly I shall, if necessary, put the original resolution.

Government Resolution.

The Hon'ble Sir ABD-UR-RAHIM: I beg to move that this Council recommends to the Government that provision be made for the salary of Ministers in the budget of the year 1925-26.

In commending this resolution to the House I do not wish to make a lengthy speech as I am sure that the main question that we are putting to the House does not require any elaborate discussion. The House will remember that on the last occasion when the question of Ministers' salary was debated this Council rejected the demand by a majority of two votes with the result that the Ministers were asked to resign and they tendered their resignation. Since then the transferred subjects are being administered by His Excellency the Governor under the temporary administration rules, but it will be clear to anyone who has studied the Government of India Act and the kind of government established by it that a temporary arrangement of this nature cannot possibly be continued indefinitely.

I need hardly point out either, that this temporary administration cannot be satisfactory to any body concerned and it was, therefore, thought necessary by His Excellency the Governor and his Government to consider whether or not an attempt should be made, if it is so desired, to provide for Ministers' salaries in the Budget for the next year and to ask the Council to express their opinion in a clear manner whether such a provision should be made. By this resolution all that we want to know is this: does the Council desire that there should be Ministers in this Government? We want a plain answer to this very plain question and nothing further than that is our desire at the present moment. The House will also remember that when on the last two occasions the question of Ministers' salaries was debated, that question in the minds of some of the hon'ble members was mixed up with the question of the personnel of the Ministry. (Cries of question.) If this statement is questioned I would refer to the speeches made on that occasion—speeches by Nationalists and by those in the ranks of the Swarajists. (Hear, hear.) I shall take the meeting of the 24th of March first. This is what Maulvi Md. Nurul Huq Chaudhury, the young hopeful of the Swarajist party, said:

"We take this opportunity of showing our dissatisfaction with the present Ministry and if it is passed it would be tantamount to a vote of censure or no confidence in the Ministers."

I now refer to the speech of Babu Akhil Chandra Datta on the 26th August, 1924. This is what the hon'ble member said:

"Very well, Sir. I recommend this motion and ask the Council to reject the demand on this distinct ground. I am not going into the larger question of constitutional issue—of want of confidence; and as regards the third Minister, I oppose it in view of the announcement made the other day in a *communique* issued from Dacca."

Mr. Sen Gupta said:

"I said that not only, if this resolution is carried, it would show not only that the ministers do not enjoy our confidence, but also," and so on.

Mr. J. M. SEN GUPTA: May I submit, Sir, that when my speech is read, the whole of it should be read. The next sentence makes its meaning quite clear.

Mr. PRESIDENT: The quotation does not implicate you at all, Mr. Sen Gupta. The Hon'ble Member has quoted only that portion of your speech in which you refer to Babu Akhil Chandra Datta. If the whole speech is to be read, it will, I am afraid, tax the patience of the House.

The Hon'ble Sir ABD-UR-RAHIM: I did not mean to convey that Mr. Sen Gupta did not want to have the constitutional question, that is, the question of dyarchy or no dyarchy decided in that connection; but one of the motives which inspired the voting was whether or not the Ministers had the confidence of the House. I, therefore, say again that the issue on the last occasion was not quite clear. Further, we have had since the vote on the last occasion, repeated representations on the subject emphasising the very point I am now making that the vote on the last two occasions was not decided on the clear issue, whether there should be dyarchy or not in this Government, whether the Reforms are to be rejected or carried on. Hon'ble members will remember that His Excellency the Governor had a conference the other day at the Government House of some of the representative members of this Council and it was decided as a result of that conference——

Kumar SHIB SHEKHARESWAR RAY: Sir, was not that a confidential conference?

Mr. PRESIDENT: It has been largely referred to in the newspapers.

Kumar SHIB SHEKHARESWAR RAY: But not on any authority.

Mr. PRESIDENT: It is a matter of general knowledge that the conference was held.

Kumar SHIB SHEKHARESWAR RAY: But Sir Abd-ur-Rahim said: "It was decided at that conference."

Mr. PRESIDENT: I did not hear him say so.

The Hon'ble Sir ABD-UR-RAHIM: It was decided by His Excellency the Governor and his Government that the best way of ascertaining the wishes of the Council in this matter would be by means of a resolution. That resolution has now been placed before the Council and it is for the Council to reject it or to say that they want Ministers. If the Council decide that there should be no Ministers then Rule 6 of the Devolution Rules would apply and the Transferred Subjects would be transferred back to the Governor in Council.

I may mention one other matter and it is this: this resolution would have been moved by some non-official members of the House but for the

fact that no time was allotted for private business and for that reason and that reason alone that I have to move it. I wish simply to point out to the House what will happen if the resolution is accepted. If it is accepted we make provision in the Budget for the salaries of Ministers. Then the next step will be that His Excellency the Governor will appoint Ministers. Next a very important question will arise whether the Ministers so appointed by the Governor have or have not the confidence of the House. For that purpose I am authorised to announce that His Excellency will give ample opportunity to the members of this House to raise this question and that if a vote of no confidence in the Ministers who may be appointed by His Excellency is carried, he will demand the resignation of the Ministers. Let there be no misunderstanding on the subject. I want this to be made absolutely clear.

Mr. J. M. SEN GUPTA: May I ask a question to make the position clear? Does the Hon'ble Member say that the demand for Ministers' salaries would be put to the vote before the appointment of Ministers by His Excellency?

Mr. PRESIDENT: He has not come to that yet.

Mr. J. M. SEN GUPTA: I think he has passed over that.

Mr. PRESIDENT: The Hon'ble Member should be allowed to develop his argument in his own way.

The Hon'ble Sir ABD-UR-RAHIM: I said ample opportunity would arise during the voting of the grants whether the Ministers enjoyed the confidence of the House or not. The Ministers—whoever they may be—would be appointed on the distinct understanding that if a vote of no confidence were carried they would have to resign.

Another question also will arise and that is the salaries of the Ministers. For that purpose also there will be an opportunity during the discussion of the Budget when the hon'ble members are dealing with the grants to fix the salaries of the Ministers. At present the salaries will be fixed in accordance with the provisions of section 2 (*i*) of the Government of India Act but it will be for the House to decide whether there should be a lower salary fixed for the Ministers. These questions have to be kept entirely distinct. They are not at issue at present: all that the Government want to know and are anxious to know is whether the Council want any Ministers to be appointed. We want to know this because it is to be decided whether provision should be made in the Budget for the salaries of Ministers. This, I think, is a very plain honest question. If the House decide that no Ministers will be appointed then there will be no provision in the Budget. On the other hand if it is desired to restore the Transferred subjects to the charge of Ministers then provision will be made.

As regards the specific question raised by Mr. J. M. Sen Gupta, I think, I have made it clear that before the voting of the grant takes place, the Ministers will be appointed so that members may have ample opportunity to judge whether they enjoy the confidence of the House or not.

Mr. J. M. SEN GUPTA: Before the voting on the Ministers' salaries is taken up.

The Hon'ble Sir ABD-UR-RAHIM: Yes, that is so. That is all, Sir, I have got to say at present.

Mr. S. N. HALDAR: I beg to move, by way of amendment, that in the resolution of the Hon'ble Sir Abd-ur-Rahim all the words after "that" be omitted and the following be substituted, namely:—

"the further consideration of the matter of making provision in the Budget for the salaries of Ministers be adjourned."

Mr. J. M. SEN GUPTA: Mr. President, Sir, I move by way of amendment the same amendment——

Mr. PRESIDENT: No, Mr. Sen Gupta, you must move an amendment to the amendment.

Mr. J. M. SEN GUPTA: I beg to move by way of an amendment to the amendment which has just been moved by my friend Mr. Haldar that the words *sine die* be added at the end. The form my proposal would take would run as follows:—

That in the resolution of the Hon'ble Sir Abd-ur-Rahim all the words after "that" be omitted and the following be substituted, namely:—

"the further consideration of the matter of making provision in the Budget for the salaries of Ministers be adjourned *sine die*."

The position that my party takes on this question was stated by me at another place a few days ago. It is no part of the duty of the members of this Council to say whether provision should be made for the salaries of Ministers in the Budget or not. Primarily the duty is cast upon His Excellency the Governor to appoint Ministers in the first instance, and once the Ministers are appointed, the Governor is bound under the provisions of the Act to provide by way of a demand for grant for the salaries of the Ministers. But the Government say, and Sir Abd-ur-Rahim to-day said "we want to have an answer from this Council as to whether or not they desire Ministers." But as I said before, and I say again in this Council Chamber that an answer to that abstract question will neither help the Government nor His Excellency the Governor at all. The reasons are these: it does not require a great brain to understand that the European group in this Council will support any

Ministry. (Hear, hear.) It does not require a great deal of intelligence to find out that the Nationalist party, led by Mr. Chakravarti, will support the formation of a Ministry under certain conditions. He, as well as certain members of his party, made it perfectly clear on several occasions that they were not against dyarchy on principle, but they wanted to run the constitution only when certain conditions were satisfied. It cannot be said that Dr. Moreno's party is against dyarchy or is not willing to run this system of Government. Then it cannot be said that Mr. Fazl-ul-Huq or Mr. Ghuznavi are not in favour of dyarchy. It requires very little knowledge of arithmetic to count the followers of these gentlemen in these parties, to find out the exact number who are in favour of running a Ministry. This resolution, if carried, will leave the Government and His Excellency in exactly the same position as he was before this resolution was introduced, and for this reason—there is no one single party in this House who are against obstruction on principle who have a majority in this Council. That is admitted. Neither the Nationalists, nor the Europeans, nor Mr. Ghuznavi or Mr. Fazl-ul-Huq when standing by themselves on the strength of their own party can carry a majority. (A voice: Nor the Swarajists.) Nor do the Swarajists carry a majority by themselves. That is quite clear. But I was talking about those parties who are against obstruction. Therefore His Excellency the Governor will exactly be in the same position as before. He can find out the members who are in favour of running some sort of Ministry without any difficulty and without this resolution which has been moved by Sir Abd-ur-Rahim. But the difficulty arises in another quarter. Are the members of the various groups in favour of a coalition Ministry? That is the question the Government ought to ask us. Would you, parties of 2 or 3 or 4 who are against obstruction on principle, combine to form a Ministry? That is the question which remains unanswered, even if the Government resolution is carried. Therefore, I say, that this is not a *bonâ fide* resolution. There is a purpose behind it, and I shall make that purpose perfectly clear.

Section 70 of the Rules and Standing Orders says that 21 days' notice is to be given for a resolution. How many days' notice did we get for this great resolution? In Calcutta, the notice was not received till Thursday. In the mufassal, the notice could not possibly be received till Friday, and the President ruled that amendments should be sent in by 1 P.M. on Saturday. Therefore, altogether 5 days were given for this resolution and practically a day and a half were given to the mufussal members to send in amendments. Under section 70, in the ordinary course of things, 21 days' notice must be given, and in the ordinary course, 14 days' time is given to send in amendments under section 77 (*1*). Why this indecent hurry? Two of the members in this Council, Government know fully well, would not be able to be present. Knowing fully well that certain members could not be present,

Government did not play the game, but by unfair methods brought in this resolution on the very first day the Council met, knowing also that the demands for salaries are not coming before the Council till the 17th March.

Have I made it plain to the members of the House that this indecent hurry is deliberate and with a purpose? (No, no.)

Let us go step by step. It is not that they want to know whether the Council wants a Ministry or not. They know that the Swarajists are in a minority. What they want to do, if possible, is to divide the Nationalists and Liberals who have been working in this Council with us, from the Swarajists. That is the first object. (Question, question.)

Since January and February, 1924, certain demands have been made not only by Swarajists and Nationalists, but also by Liberals for changes in the constitution. What has happened to those demands? They have been brushed aside and Government have taken no notice of them. But what did we say in those demands? We said that dyarchy is impossible to be worked, unless, of course, it is worked according to the wishes of the Indian Civil Service. Ministers after Ministers who have had experience of this system of Government, when they have gone out of office, came before the Muddiman Committee and said that dyarchy was unworkable. And it is an open secret that the minority report signed by Sir Sivaswamy Iyer, an ex-Member of the Madras Executive Council, Sir Tej Bahadur Sapru, an ex-Member of the Executive Council of the Governor General of India, Dr. Paranjpe, an ex-Member of the Executive Council of the Bombay Government, and Mr. Jinnah of 1924—not one of these gentlemen can be accused of irresponsibility—they have worked the system and they are certainly not, as the charge is, irresponsible Swarajists—that minority report, it is an open secret, has damned dyarchy and has said that dyarchy is unworkable. Government by bringing this resolution here to-day wants the members of this House, the members of the Bengal Legislative Council, to say that notwithstanding that minority report, signed by Liberals and Nationalists—not by Swarajists—and wants to prove to the world—that is the object of the resolution—that the majority members of the Bengal Legislative Council are in favour of running dyarchy to-day. As I have said before, it will help no one to form a Ministry, but it will certainly help the Government, if this resolution is carried, to tell the world "well, didn't we tell you that the people of Bengal are behind us and that they want to run this constitution?" That is what they want to publish to the world. Now what has happened since January and February, 1924 that either we or the Nationalists—and I speak about them with some amount of diffidence—what has happened with regard to us that we should to-day say "please give us this system of Government, please provide for the Ministers' salaries?" Did not this Council by an overwhelming majority recommend to the Government

for the release of political prisoners? Did not this Council by an overwhelming majority ask the Government to repeal the repressive laws? Did not this Council ask for provincial automony, much less for transference of a much larger number of subjects to the transferred side? Did not this Council ask for a revision of the Meston Award? What has happened to those recommendations? Has one of them been given effect to? On the contrary, what have we got? Not only have those recommendations not been given effect to, but in opposition to the opinion of the whole of the people of Bengal and of this Council, an Ordinance was promulgated, and a Bill to legalise that Ordinance was brought in this Council, and this Council turned it down by a big majority. What is the Government's answer? The Government's answer is, "you will have to have it" and we have it from the President to-day that it has been certified. Therefore I submit to this House that not only have all your wishes been disregarded and your recommendations set aside, but in the teeth of the united opposition of the Indian people of Bengal, they have put into operation a law which we refused to sanction. Sir, that is the position. In 1924 the Nationalists refused to accept Ministership unless certain conditions were satisfied. Not only have those conditions been satisfied, but further assaults have been made upon our liberty and freedom.

[At this stage the member having reached the time-limit was allowed by the Hon'ble the President to continue for a few minutes]

Can this Council sit and laugh when two of their own have been taken out of this place and put into prison without an opportunity being given to them to prove their innocence. I ask you, are you prepared at this moment to say "Yes, we are satisfied, make provision for Ministers' salaries, because all our wishes have been given effect to by the Government"? Sir, it is perfectly clear that we are in a much worse position to-day than we were in 1924.

As regards my Nationalist friends, I say that they ought to support this amendment of mine for this reason. I understand some of them believe in negotiation, and they say the door of negotiation with the Government should be kept open. How is the door for negotiation closed if you say, adjourn this motion? Let negotiation proceed first, and let this resolution come up later. Therefore I submit to this House, that they ought to accept this amendment, for there is no change of heart on the part of Government. If they say "come and accept Ministry on our terms and conditions" that is, the Government's terms and conditions and not yours—I ask my friends in this Council whether they are prepared to do this. What is the Government asking you to do? They are practically terrorising you not into co-operation, but into submission. I, therefore, ask the Council to refuse the substantive proposition and accept my amendment.

Mr. PRESIDENT: Mr. Haldar, do you accept the amendment of Mr. Sen Gupta and withdraw your own?

Mr. S. N. HALDAR: Yes, I accept the amendment of my friend Mr. Sen Gupta and withdraw mine.

The motion standing in the name of Mr. S. N. Haldar was then, by leave of the Council, withdrawn.

[At this stage the Council adjourned for 10 minutes for the *Asar* prayer.]

After the adjournment.

The following amendments were called but not moved:—

Mr. KIRAN SANKAR ROY and **Mr. S. N. HALDAR** to move, by way of amendment, that in the resolution of the Hon'ble Sir Abd-ur-Rahim all the words after "that" be omitted and the following be substituted, namely:—

"the further consideration of the matter of making provision in the Budget for the salaries of Ministers be postponed until after the appointment of Ministers."

Babu NALINIRANJAN SARKER to move, by way of amendment, that in the resolution of the Hon'ble Sir Abd-ur-Rahim all the words after "Council" be omitted and the following be substituted, namely:—

"(while urging that the earliest steps be taken for the establishment of autonomy in the Province) recommends, as a working basis in the meantime, to the Government, that provision be made for the salary of Ministers in the Budget of the year 1925-26 or in the supplementary grant provided—

(1) they—

(a) release all prisoners arrested in October last and detained under Regulation III of 1818 or the newly promulgated Ordinance or give them the chance of open trial in a Court of Law;

(b) give full scope to the Ministers for the realisation of their responsibility to the Council;

(c) allow the Ministers to vote according to their own opinions on material questions of principle and policy;

(d) allot separate and sufficient funds for the transferred departments and appoint a Joint Financial Secretary;

(e) float a loan for the development of the nation-building departments as suggested by Mr. C. R. Das during the debate on the last Budget;

(*f*) support the introduction of a Local Self-Government Amendment Bill in which the rural police will be placed under the local bodies; and

(*2*) the Ministry be actually formed prior to any demand for their salary being made."

Babu MANMOHON NEOGI and **Dr. KUMUD SARKAR RAY** to move, by way of amendment, that to the resolution of the Hon'ble Sir Abd-ur-Rahim the following be added at the end, namely:—

"Provided:

(*1*) All political prisoners be immediately released.

(*2*) The Bengal Ordinance remain inoperative if not withdrawn.

(*3*) The Meston Award be revised.

(*4*) Government recommends to the proper authorities granting of immediate full provincial autonomy.

(*5*) Government recommends the grant of a just and legitimate share of Hindus, Muhammadans, and Indian Christians in the administration of the Province.

(*6*) Reasonably sufficient funds be placed at the disposal of the Ministers to carry on the work of the Transferred Departments.

(*7*) That in dealing with the Ministers the Government recognises their responsibility and avoids interference with their work."

The following amendment was called but the mover being absent it was deemed to be withdrawn:—

Mr. A. C. BANERJEE to move, by way of amendment, that to the resolution of the Hon'ble Sir Abd-ur-Rahim, the following be added at the end, namely:—

"Provided:

(*1*) Government recommends to the proper authorities the granting of immediate full provincial autonomy.

(*2*) Government recommends the grant of the just and legitimate share of Hindus, Muhammadans, and Indian Christians in the administration of the Province.

(*3*) Reasonably sufficient funds be placed at the disposal of the Ministers to carry on the work of the Transferred Departments.

(*4*) That in dealing with the Ministers the Government recognises their responsibility and avoids interference with their work."

Dr. H. W. B. MORENO: I beg to withdraw the amendment in the hope that the Government will be guided by the wise counsels embodied in this amendment.

The following amendment was then, by leave of the Council, withdrawn:—

Dr. H. W. B. MORENO to move, by way of amendment, that in the resolution of the Hon'ble Sir Abd-ur-Rahim the following amendments be made, namely:—

(*i*) *after* the word "Government" the words "the necessity for the immediate appointment of Ministers and" be inserted; and

(*ii*) the following be *added* at the end:—

"provided that the portfolios be alloted to four Ministers, instead of three, and that the total amount paid heretofore under the head 'Salaries of Ministers' be not exceeded."

The following amendment was called but the mover being absent it was deemed to be withdrawn:—

Babu MANMATHA NATH ROY to move, by way of amendment, that for the words "in the Budget of the year 1925-26", the following be substituted, namely:—

"after—

(*i*) the acceptance by Government of such political demands as may be formulated by a Conference to be summoned without delay, consisting of representatives chosen by the elected Members of the Council and nominees of the Government, in the proportion of 3 to 1, and

(*ii*) the Ministers have been appointed."

Kumar SHIB SHEKHARESWAR RAY: I move, by way of amendment, that in the resolution of the Hon'ble Sir Abd-ur-Rahim after the figures "1926" the following be added, namely:—

"provided that the formation and personnel of the Ministry are announced previous to the introduction of the said budget."

Sir, without being as hard as Mr. J. M. Sen Gupta or mixing up the issues like him, I would like to say that I could hardly bring myself to believe that the Government are so much without imagination or devoid of common-sense as to go to the length of moving a resolution solely with the object of ascertaining from the Council whether it wants the Transferred Departments administered by responsible Ministers, for, Sir, every one knows that on both the occasions the salary of the Ministers was refused only because the Ministers appointed did not sufficiently enjoy the confidence of the House; and, Sir, even then the majority did not exceed by more than three votes, whereas the

leader of my party of about 25 strong made it plain during the debate that we were only opposed to the personnel of the ministry and surely not to the institution of responsible Ministers. In the face of these facts it would be a travesty of truth to say that the Council as a body are opposed to the system of Government by responsible Ministers. All the same it was a pitiable sight that the people of Bengal were made to witness last year when the unjustifiable wrath of one who ought to have known better was let loose on Bengal and her whole population was punished, because its elected representatives in the Council exercised their constitutional right against an unconstitutional procedure which sought to thrust upon them an irresponsible and unpopular ministry. What a pity that for a greater part of the year an advanced Province like Bengal was deprived of even the little concessions that the Government of India Act had granted to us.

However, Sir, placed as we are, it will not help matters much to go into the painful history of the past or to hold out empty threats. It appears to me that the administration has at last realised its past mistakes and this resolution is the outcome of that realisation. This is the only meaning which I can attach to this resolution at this stage; and from the procedure adopted I am glad to find that His Excellency the Governor, if not Sir Abd-ur-Rahim personally, is in a conciliatory mood, and I think I should congratulate them on their wise decision. Sir, this resolution as an abstract proposition is such that barring the Swarajists, there must be a very few members in the House who can oppose it. But when we come to look at it from a practical point of view it requires some qualifications and that is the object of my amendment as also that of my friend Rai Harendranath Chaudhuri. Sir, so far as my amendment is concerned, the Hon'ble mover's assurance take away the wind out of my sails, and as regards my friend's amendment, it goes without saying, whether Government accepts it or not, that His Excellency cannot but follow the procedure suggested by him, if it be at all desired to form a stable ministry in Bengal. It is useless to pass the resolution if it be intended to repeat last year's procedure of imposing upon us an unpopular ministry. Sir, we of the Nationalist Party have accepted the Government of India Act for what it is worth and even knowing that it is only a half-way measure, but our creed is to secure the greatest benefit out of it without sacrificing our national honour. (Hear, hear.) And I daresay, Sir, that enough of good work can be done by a popular ministry even under the present crippled conditions, as, for example, improvement of rural areas and sanitary conditions of the country and so forth—and if any concrete illustrations were needed I might point out the Calcutta Municipal Act—an Act for which the ministry of Sir Surendranath Banerjea will ever remain memorable in the annals of history—a piece of legislation which has enabled the very Swarajists to turn the Calcutta Corporation into a national institution. Now it does not lie in their mouth to say that

the ministry as it is cannot do any good work—I daresay it can. Sir, we do not seek to impose any conditions which were not allowed by the constitution of the Government of India Act; but, Sir, we will not take part in any ministry nor will we support any ministry which does not aim at asserting itself to the fullest extent permitted by the Act. In accepting or supporting a ministry, herein lie our differences on the one hand from those who ignore the existence of the Government of India Act and seek to impose conditions on the Ministers unwarranted by the Act, and on the other, from those who with a view to retain their office, are prepared to ignore the popular verdict and to sacrifice their self-respect as well as their principles.

Mr. PRESIDENT called upon Maulvi Md. Nurul Huq Chaudhury to move his amendment.

Maulvi MD. NURUL HUQ CHAUDHURY: Sir, may I speak if I withdraw my amendment now?

Mr. PRESIDENT: If you wish to speak on the other amendments you can do so.

Maulvi MD. NURUL HUQ CHAUDHURY: Then I withdraw this amendment and I will speak later on.

The following amendment was then, by leave of the Council, withdrawn:—

Maulvi MD. NURUL HUQ CHAUDHURY to move, by way of amendment, that in the resolution of the Hon'ble Sir Abd-ur-Rahim the following be added at the end, namely:—

"Provided that all the political prisoners have first been released and the Bengal Criminal Law Amendment Act withdrawn."

The following amendment was called but the mover being absent it was deemed to be withdrawn:—

Babu HEMANTA KUMAR SARKAR to move, by way of amendment, that to the resolution of the Hon'ble Sir Abd-ur-Rahim the following be added at the end, namely:—

"Provided they are selected from the Nationalist Party of the Council."

Rai HARENDRANATH CHAUDHURI: I move, by way of amendment, that in the resolution of the Hon'ble Sir Abd-ur-Rahim the following be added at the end, namely:—

"after ascertaining from the different party leaders the circumstances in which a stable ministry can be formed."

I am obliged to move this amendment because of the unhappy terms in which the Government resolution is couched—unhappy because they are vague, and give us no idea of the Government mind—unhappy because they do not meet the requirements of the present situation and last though not the least they are open to misconstruction in either case—in case whether the resolution is carried or in case it is lost. It is inconclusive because even if it is carried it will be as much a misrepresentation to say that the Council wants a ministry under all circumstances as a misrepresentation it will certainly be to say, in case it is lost, that that Council does not want a ministry under any circumstances whatsoever. The Government, it is said, intends to separate issues, *viz.*, the issue of the principle or institution of ministry, *i.e.*, whether there should be any Ministers at all from the issue of its personnel, *viz.*, who are fittest persons to be appointed as such—as if these are the only two issues and there is no third issue involved in the question of the formation of a ministry.

It is just to emphasise this third issue of which there is no indication in the Government Resolution that my amendment has been framed. Yet this is the most important issue which must weigh with men of independent thinking and constructive ideas—men who are not unwilling to work the Reforms—inadequate and unsatisfactory though they are—provided they can be worked successfully with substantial benefit to the nation and without compromising national self-respect. It is these men, Sir, who are anxious to explore and request the Government to explore the circumstances in which a stable ministry can be formed.

Anybody who can advise the Government otherwise in the present circumstances will not act as its best friend but will simply be encouraging it to ride for a fall and a Government which dares to ignore these circumstances and conditions may as much be considered a wrecker of the constitution as any non-co-operator can possibly be. To provide for Ministers' salary and form a ministry and not to ensure the conditions of its stability and success, is simply to pretend and not to give any proof of a sincere desire to uphold the constitution. A man like Sir Surendranath Banerjea may agree to work as a Minister yet his undoubted abilities, his uncommon energy, his unquestioned patriotism and unique eloquence will not avail. The unenviable experiences that Minister after Minister related before the Muddiman Committee ought to warn those who have the best interests of the country and the real success of the Reforms at heart.

They pretend they are anxious for the Reforms. They said that the non-co-operation movement jeopardised the Reforms. Was the non-co-operation movement more responsible for it than the Meston Award so far as this Province was concerned? When there was no fair chance of unseating a Minister by an adverse vote of the Council—when in the last Council the position of the Ministers was assured—

were not the Ministers themselves anxious to have it revised? Believing in the statement of a Finance Member, the representatives of the people in the Council consented to the imposition of three new taxes. The proposals were supported, as the constitution demanded, by three Ministers yet what part of the proceeds went to nation-building? The Ministers no sooner they left office were told in their face—well you did not get sufficient or more funds because you had no schemes. The Government which will not provide more than Rs. 50,000 either for kala-azar or for improvement of rural water-supply comes to recommend that provision be made for the salary of a Minister of Public Health probably on a salary of Rs. 64,000 per annum. It is anxious to appoint an Education Minister when it cannot afford to provide a decent sum for the solution of the question of primary education or even to maintain a few girls' schools and considers it judicious to deprovincialise the latter. The Hon'ble Ministers are made to appear as the people's representatives on the cabinet yet in total disregard of the spirit of the constitution they are to oppose the elected majority and vote with the Executive Government. Joint deliberations in all important matters were recommended by the Parliamentary Committee, yet when people's liberties are encroached upon they (*i.e.*, the Ministers) are not to be consulted. And when such is the state of things—when the success of the Ministers cannot secure the enlargement of the scope of self-government—not even by the transference of a few more subjects—and when their failure may probably be made an excuse for "restricting" the Reforms we are asked to agree to the provision for the salary of Ministers as an abstract proposition as if nothing had happened in this Council with reference to the question in the near past and as if the nation was not aware of the evidence before the Muddiman Committee. And what is more, the resolution is going to be moved and provision is going to be made for statutory nation-builders when there is less scope for nation-building in the face of the popular antagonism created by the repressive policy of the Government and when no serious attempt has yet been made to produce a congenial atmosphere in which any popular ministry can at all be worked, say, by the release of a single political prisoner or concession of a single popular demand.

The Government, Sir, wants to separate issues. We also on our part are anxious to separate more important issues involved in the question. The Government wants a plain answer to, what it says, a plain question, *viz.*, whether there should be any Ministers at all. We on our part refuse to answer such a bald and abstract question, before the other more important question is answered, *viz.*, whether the Government wants a stable ministry or rather a show of Ministry—whether the Government desires that there should be a ministry which will succeed and inspire the confidence of the people or any ministry

how precarious its existence may be—however incapable it may be to lead the House and inspire the confidence of the country. The Nationalist Party are neither over-anxious to have any ministry formed nor are pledged to oppose all ministries. Their position is as much different from that of the official wrecker who wants a ministry without ensuring the conditions of its success as from that of the unofficial wrecker, if there be any, who would oppose a ministry under all circumstances. The question how can there be a stable ministry is not for me to answer. I have simply indicated in my amendment the perfectly constitutional procedure that ought to be adopted and is adopted in other lands to ascertain the circumstances and conditions in which a stable ministry can be formed. I do not suggest a conference but simply propose that the Government before rushing to provide for Ministers should send for the leaders of the different parties in the Council—consult them one after another—patiently try to understand their views regarding the circumstances in which a ministry enjoying the confidence of the country can be formed and the gulf between the Government and the people bridged rather than widened. The party-leaders who will undertake to form the ministry will have to discharge the duties and responsibilities of the office and it will be for them to indicate in what circumstances and what circumstances alone it will be possible for them to accept the responsibilities and achieve success in the administration of the nation-building departments. All that my amendment insists is that the Government should adopt this only constitutional procedure and should honestly explore the conditions of a stable ministry before rushing to provide for Ministers' salary and rake up the old unfortunate wrangle over the question.

Mr. BYOMKES CHAKRAVARTI: In speaking to the motion before this House on behalf of the Nationalist Party I reiterate what I said here in August last, *viz.*, that although opposed to dyarchy on principle, we have not accepted the policy of obstruction in the Council for the sake of obstruction. We are out for what has been described in political parlance as "responsive co-operation" and our attitude towards measures brought before this House has been determined in each case partly on their merits and partly on the attitude of the Government and the response made by them towards the popular demands made in and through this Council from time to time.

With this brief statement of the general policy of the party, I come to the position taken up by the Nationalist members whom I have the honour to lead. I gather that the motion under discussion has been tabled with a view to ascertain in the first instance whether this Council desires any Ministers to be appointed. As regards this, we Nationalists are clearly of opinion that a ministry with collective

responsibility as opposed to Ministers chosen in a haphazard fashion should be formed as early as possible. In the next place, we are also clearly of opinion that everything should be done to see that the ministry, if any is appointed, may be a stable one. It is no use having a ministry, even of all talents, which does not enjoy the confidence of the elected representative of the people in the Council thereby creating a position of constant tension and irritation under which we cannot settle down to that serious nation-building work for which all of us seem to be anxious.

To find out the circumstances which would lead to the stability of any ministry which may be formed, an amendment has been moved on behalf of the Nationalist Party by my friend Rai Harendranath Chaudhuri. This amendment has clearly indicated the spirit in which our party desire to approach the question. We are convinced that an atmosphere will have to be created that a stable ministry may be formed. Our party have quite definite views as to how such an atmosphere may be created and under what circumstances they may be prepared to support a ministry pending the attainment of that autonomy in the provinces which we desire. This is, however, neither the time nor the occasion to capitulate them. Non-acceptance of office does not form any part of our programme, but we are not prepared to shoulder the responsibility unless full scope is allowed to the Ministers for the realisation of their responsibility to this Council. I trust this is a sufficient and substantial answer to the real point underlying this motion.

Having dealt with that real point and our attitude towards it, I must say that the motion before the House raises an abstract question to which an answer is provided in the Government of India Act itself. The provisions for salaries of Ministers should in law be included in the Budget. It seems curious that the Government should ask the Council to recommend this Resolution to the Government itself. In view, however, of the policy of responsive co-operation adopted by the Nationalist Party and further in view of the fact that the Government have not been at all responsive as regards the very reasonable amendment of my firiend Rai Harendranath Chaudhuri and to the various resolutions expressive of the popular wish which have been passed from time to time by this Council and also because the Nationalist position has been made quite clear as regards the main and the real point in the motion, we as a party do not propose to take any part in the voting on the original Resolution. We shall wait and see whether by their subsequent action the Government will rise above the consideration of mere prestige and approach the question in a spirit of broad statesmanship. I trust that notwithstanding occasional uninstructed and unjust criticism of our attitude and policy whether in or outside this Council, we Nationalists as a party shall

never think of taking any mean, petty party or personal advantage but shall continue to be guided by that calm and lofty desire to serve the public and national interests above all and at all hazards, inspired by that ardent spirit of patriotism which recognises no obstacles but which at the same time does not lose sight of the practical realities of life.

Babu AMULYA DHONE ADDY: I have much pleasure in seconding the resolution which has been so ably moved by the Hon'ble Sir Abd-ur-Rahmin. I agree with some of the mowers of the amendments, but the question before us is as to whether we should have Ministers or not, whether the duties on the transferred side should be entrusted to His Excellency the Governor or to hon'ble members of the Legislative Council, who are the representatives of the people of Bengal. I beg to submit that as these subjects are very important and as they include Primary and Technical Education, Public Health, Sanitation, Agriculture and Development of Industries, I think these duties should be entrusted to some of the leading members of this Council, members in whom the public have the greatest confidence, members who will appear to His Excellency to be the best. As regards the amendments which have been moved, I agree that some of the suggestions should be accepted, namely, that the political prisoners should be released as early as possible.

Mr. PRESIDENT: These amendments have not been moved at all, Amulya Babu. All of them have been withdrawn, and in those that remain on the paper I do not find anything about political prisoners.

Babu AMULYA DHONE ADDY: Very well, Sir. The suggestions that have been made appear to me to be very reasonable. but at the same time I beg to submit that that is a different question altogether. The question before the House is whether Ministers should be appointed or not. I am sorry to state that I gave notice of a number of questions on transferred subjects but I am informed that I shall not be allowed to ask such questions. I have also been referred to a circular of the Secretary to the Legislative Council, dated the 22nd December, 1924, which says that as there is no member responsible in charge of these subjects no question relating thereto shall be allowed to be asked. We are not even allowed to move resolutions on these subjects or even to introduce private Bills regarding them. That is the special reason why I should like to submit that Ministers should be appointed as early as possible. I admit that the sooner we get the concessions asked by the Swaraj party the better for us, but at the same time when some concessions have been granted to us under the Government of India Act we should try our best to utilise them fully while asking Government for more concessions which I think we deserve.

With these remarks I beg to submit that we should support the resolution moved by the Hon'ble Sir Abd-ur-Rahim.

Mr. K. C. RAY CHAUDHURI: I want to speak only on the amendment of Rai Harendranath Chaudhuri. His amendment at the first glance seemed to be an innocent one, but when I took the trouble of analysing it, I found that the amendment, the constitutional importance of which the mover has made so much of, really seeks to commit an unconstitutional act for the reason that it binds the Governor to a particular line of action, that is to say, it wants the Governor to take into consideration the circumstances under which a stable ministry can be formed in Bengal. Sir, the circumstances vary. The leader of one party says that the release of the political prisoners is the condition prior to their helping to form a stable ministry. The leader of another party has similarly other conditions to lay down. But, Sir, parties here are not well formed. In fact, two parties are necessary for a stable Government. But here in Bengal we have several parties, the Swaraj party, the Independent party, the Nationalist party, the Liberal party, the Moderate party, etc., and Government is asked to consult and meet the demands and grievances of the so-called leaders of these parties before they undertake to form a stable ministry. This amendment really seeks to dictate to the Governor to adopt a particular line of action and to compel the executive branch of the Government to accept it. Sir, we all want a stable ministry. In fact none is more anxious to form a stable ministry than His Excellency the Governor and this will be evident from his holding a conference of some members of this Council to ascertain their views with regard to the possibility of doing so. If Tom, Dick and Harry are appointed by His Excellency as Ministers, we have a constitutional right to express disapproval by throwing out their salaries, and I think nobody with common sense will vote for this amendment. The amendment is a subterfuge to entangle the attempt to form a stable ministry, and I appeal to my friends not to be hoodwinked by it but to have a clear thinking on the subject before voting.

Maulvi MD. NURUL HUQ CHAUDHURY: I have reason to speak on the resolution to clarify two points which affect the Swaraj party firstly, and the Muhammadans who belong to the Swaraj party secondly. I have listened with the greatest amount of attention to the speech delivered by my friend Kumar Shib Shekhareswar Ray who said that on the last occasion when he voted against the Ministers it was on account of the personnel of the Ministers. There were 22 Muhammadans with the Swaraj party who voted against the salaries of the Ministers and those who voted for the Ministers were only 18 in number. The Muhammadans of the Swaraj party clearly fought on

the principle that they would not allow the Government to work dyarchy and it was on that account that they did not allow the Ministers' salary to be passed or voted by the Council. The Muhammadan members never gave a thought to the fact that Messrs. Fazl-ul-Huq and Ghuznavi were Ministers not wanted by the Muhammadans of the Swaraj party and that they were unfit.

Mr. K. C. RAY CHAUDHURI: May I rise to a point of order? The member is referring to the question of personnel.

Mr. PRESIDENT: He is quite in order.

Maulvi MD. NURUL HUQ CHAUDHURY: It was only on principle and principle alone we voted, and we turned the Muhammadan Ministers out. I now understand from what Kumar Shib Shekhareswar said that he voted against the Ministers' salary because of the personnel—there were two Muhammadan Ministers and none else. If that be the case——

Kumar SHIB SHEKHARESWAR RAY: I never said that the two Muhammadan Ministers should be turned out.

Maulvi MD. NURUL HUQ CHAUDHURY: He said that he voted against the personnel of the Ministers. The attitude of the Swarajists was always that there should be an understanding between the Hindus and Muhammadans living in Bengal. That being the case we the Mussalmans of the Swaraj party joined hands and our number being 22 out of a total strength of 42 it cannot in any way be said that the success of the Swaraj party was due to the Hindus only and our idea, when we came to the Council, was to work together with the Hindus. The Kumar's intention is that there now should be a division between the Hindus and the Muhammadans and I am very pained to hear it. We always took the Kumar to be a great friend of the Indians but his speech to-day shows that he wants to divide the Hindus and Muhammadans so that the bureaucracy may go on merrily.

Kumar SHIB SHEKHARESWAR RAY: Are you going to allow misrepresentations to go on like this, Sir? I never said anything about the personnel of the ministry but the personnel indicating the policy followed by the Ministers. I did not say anything about Hindus or Muhammadans.

Mr. PRESIDENT: If there is any misrepresentation of what you have said it is for you to rise and correct it. I am not responsible for any misrepresentation. I cannot possibly say when a speaker is misrepresenting you.

Kumar SHIB SHEKHARESWAR RAY: Sir, you heard my speech surely. I never mentioned for a single moment that I was opposed to the Muhammadan Ministers. I never said such a thing. Maulvi Nurul Huq is repeatedly asserting it that because I differ from the Swaraj party I must go to hell.

Maulvi MD. NURUL HUQ CHAUDHURY: Let me now refer to the speech of my friend Mr. B. Chakravarty, the leader of the Nationalist party. He said that he was willing to accept ministry on certain conditions and that he would try to devise means as to how a stable ministry might be formed. May I ask Mr. Chakravarty when he fought the Diamond Harbour election if he did not say that he would not accept office under the present circumstances? Sir, the Bengal Ordinance was then in force and no Criminal Law Amendment Bill was brought before the Council. When that election was fought two of the Indian members of this Council were in jail and they have not been let off yet. Government have not yet bowed to the wishes of the elected representatives of the country nor do I understand how the circumstances may be said to have changed in order to make the ministry acceptable to Mr. Chakravarty and his party. It has also been said that the number of Nationalists is about 25 which I doubt very much and, Sir, amongst them there is only one Muhammadan and that is Mr. Huseyn Shaheed Suhrawardy. If any ministry is going to be formed in Bengal there can be no stable ministry unless there are two Muhammadan Ministers in it because they are the next biggest party after the Swaraj party. I do not know if Mr. Suhrawardy's inclusion in the ministry will make it a stable one. If it be not so, where will you find another Muhammadan to form a stable ministry? Where are you to borrow another from? I am afraid their fate will be the same as that of the last Ministers. I as a Swarajist and as a Muhammadan clearly say to the Independents that if they accept ministry at the present moment, when the Government have not abandoned its attitude or have not given us what we asked for, or, at least have not met us half-way, we cannot under any circumstances allow them to rule at least that half of the Bengal Budget known as Transferred Departments and will make their lives miserable.

Babu DEBI PROSAD KHAITAN: I have no desire to imitate my friend Maulvi Md. Nurul Huq Chaudhury either in the loudness of his voice or in the manner of his interpreting the speech of Kumar Shib Shekhareswar Ray, but I do desire to give my reasons why I think that none of the amendments which have still survived out of the unlucky number of 13 should be accepted. Mr. J. M. Sen Gupta in moving the amended amendment of Mr. S. N. Haldar wanted to know what was the change in position which induced the Hon'ble Member on behalf of Government to move the present resolutoin. Sir, that there has

been a change in position nobody can doubt. The change in position about the administration of the country has certainly been for the worse in the absence of the Ministers. (Question!) Some reasons have been given by Kumar Shib Shekhareswar Ray and some have been given by Babu Amulya Dhone Addy. It was as a result of the agitation carried on for a large number of years that the Reform Act was passed. No body can deny the proposition that although the Reform Act does not go to the fullest extent that we Indians wanted it to go, still it does confer on the representatives of the Indian public some share in the administration of the country and some position to influence the reserved side of the Government. If it was the result of that agitation that the Reforms Act was passed, is it for us to give up these Reforms and to say that we do not want them? Such, indeed, will be the position if this House say that we do not want Ministers, for without Ministers I consider the Reforms Act will be worth nothing. It is only if responsible Ministers are appointed, it is only if responsible Ministers are in charge of the Transferred Departments it is only if there are responsible Ministers within the Cabinet that the Transferred Deparments can be administered in the way the representatives of the public want them to, and it is only then that the representatives of the people will be able to influence the Members of the Executive Council in the administration of the reserved side.

It was by the last speech of my hon'ble friend Mr. J. M. Sen Gupta—by last speech I do not mean the speech of to-day—but by his speech in August last that the confusion was created. He wants to know why is this Resolution necessary? The answer is to be found in his own speech. It was he who created confusion as to whether salaries were rejected because of want of confidence in the Ministers or in pursuance of a wrecking policy. Several members of this House have repeatedly asserted that those salaries were thrown out because an opportunity was not given to this House to express its no confidence in any other way and because the rejection of the entire salary was the only way left open to this House in order to express dissatisfaction with those Ministers. It was after that Resolution was moved that my hon'ble friend Mr. J. M. Sen Gupta got up and said that the rejection of the salaries was due partly because of the wrecking policy carried on by the Swaraj party; and what has been the results of that wrecking policy? Certainly for these several months the Reforms have practically been wrecked. We are not allowed to ask questions or to move resolutions. The Transferred Departments are being administered in the same way as they were before the Reforms and, Sir, that is the position which the Liberal party can never subscribe themselves to. It is, therefore, Sir, rather a matter of congratulation that the Government have given up their position of prestige and come forward before this House and

demand a clear voting as to whether the result of voting in March last or in August last was against the ministry in the abstract or against the personnel of the ministry; and it is for this House to state in quite clear and unambiguous terms that this House by a majority of votes demands the formation of a ministry and when the Ministers are appointed to state whether they have the confidence of the House or not. Kumar Shib Shekhareswar Ray was not quite in his element to-day when he said that Sir Abd-ur-Rahim took the wind out of his sails when he wholly and entirely accepted the principle enunciated in his amendment. In fact the amendment as worded by the Kumar Sahib was not quite a happy one and I am referring to it now because he has moved it. He wants the formation of the ministry to be made before the introduction of the Budget. Sir, the introduction of the Budget takes place on the 19th—two days hence. But I do not think that it is the intention of the Kumar Sahib that the Ministers should be appointed in such a great hurry.

Kumar SHIB SHEKHARESWAR RAY: Sir, my friend need not labour the point because I want to withdraw my amendment in view of the assurance given by Sir Abd-ur-Rahim.

Babu DEBI PROSAD KHAITAN: What I want to say is that this House would be given an opportunity at an early date to express its opinion about the confidence or no confidence in the Ministers and this undertaking has already been given by the Hon'ble Sir Abd-ur-Rahim.

Sir, so far as my friend Rai Harendranath Chaudhuri's speech is concerned he lays down a procedure which, I believe, His Excellency the Governor is sure to follow. But being of the opinion that no loophole should be left against the appointment of Ministers, I do not think that this amendment should be accepted, but this House should answer this plain and simple question whether the salaries of the Ministers should be placed in the Budget or not. This amendment says that His Excellency the Governor should include in the Budget provision for salaries only after ascertaining from the different party leaders the circumstances in which a stable ministry can be formed. My friend Mr. J. M. Sen Gupta has clearly stated the circumstances in which our friends of the Nationalist party could form a stable ministry. The matter is now an open secret but to tag it on to the Resolution simply means that conditions are being attached. As to the object of the amendment it will be attained even if it is not accepted. For what is it that my friends the Nationalists want as a result of this amendment. If Ministers are appointed and the personnel does not appeal to the majority of the House then it is only in March next that the House will get an opportunity of passing a vote of no confidence in

the Ministers or rejecting the whole amount of their salaries. In fact, it would be prudent for this House to pass this resolution on the distinct terms in which the Hon'ble Sir Abd-ur-Rahim has put it, and then wait till the Ministers are appointed and in March next express its opinion as to whether they have the confidence of the House or not.

Maulvi SAYYED SULTAN ALI : Sir, may I speak a few words on behalf of the Swarajist Muhammadans. We have heard from many of our friends repeatedly that the outgoing Ministers—I mean Mr. Huq and Mr. Ghuznavi—did not command the confidence of the people and this House and that they were not competent. Some of my friends have declared that owing to these circumstances they were defeated. Sir, during the time of the proposed adjournment of the House I supported them and they were successful. But during the voting of the salaries, they were defeated and defeated by one vote only when I voted against them. Sir, I was given to understand by Mr. C. R. Das, the leader of our party, that as soon as the Ministry is gone the Liberals in England would give us provincial autonomy and considering that it would be greater gain I voted against the Ministers and they were defeated. But I am now told that they had not the confidence of the House. I say that they have confidence of the House and that they command the confidence of the country. The moment they are appointed Ministers again they will command the whole-hearted support of the Muhammadans of the Council. The Muhammadans in this Council are now united. We combined against the Ministers because we had the misfortune of associating ourselves with the Swarajya party with the object of obstructing Government in all matters. That was the reason for which we opposed the Ministers' salaries and it was not for any want of confidence in them. If my friends now try to make capital out of it, they are entirely mistaken. If Mr. B. Chakravarti forms a ministry now we Muhammadan members will oppose it tooth and nail; if there be not two Muhammadans in the ministry.

The Hon'ble Sir HUGH STEPHENSON : Sir, I was a Member of the Transfer of Subjects Committee of the Reforms Committee which first suggested the transfer of certain subjects, and I am, therefore, naturally disposed to their administration by the representatives of the people because those departments were transferred on the ground that the best chance of progress in these subjects was through their administration by the representatives of the people; but I am not going to argue that question here. The question at issue this afternoon is : Does this Council want Ministers or not? I will not follow the enticing red-herrings which Rai Harendranath Chaudhuri and Mr. J. M. Sen Gupta dangle in front of our nose but I shall confine myself to a few remarks on the various amendments. The first amendment is that the discussion should be adjourned *sine die*. That, Sir, has got a familiar

ring in my ears and I seem to remember that a similar motion was brought forward on a previous occasion when the Swaraj party was in difficulty. I was not present at the debate which took place last August but I have learnt several things from Mr. J. M. Sen Gupta which I did not realise before. In the first place we have been told that the whole question as to whether we should have Ministers or not is an abstract question and not a practical one. I should have thought that it is one of the most urgent practical questions of the day. Mr. Sen Gupta has said that Government will be no further than where they are now if this Resolution is passed, because it would only be an answer to an abstract question. My impression from reading the papers at home and after I came out here was that it was claimed that the Council refused to have dyarchy.

It now appears that the Swaraj party are in a minority and they know that they are in a minority—and that they know that the rest of the Council, except themselves, do want to have Ministers. Where then comes in the cry that the Swaraj party has saved the country by killing the ministry? What is it, Sir, that the Swaraj party are afraid of? Why do they want to run away from the issue? The issue is a perfectly plain one. I have listened carefully to Mr. Sen Gupta's speech. He complained that he had been given short notice, but he did not tell the Council how that short notice had affected either himself or his party, and all that I could gather from his speech was that he strongly objected to this Resolution, which must show, what he himself admits, that the Swaraj party do not entirely represent the whole Council. His grievance apparently is not against Government but against the rest of the parties in the Council, *viz.*, that although the Swaraj party is in a minority in the whole of the Council, the rest of the Council will not allow themselves to be guided by the dictum of the Swaraj party. That was apparently the whole of Mr. Sen Gupta's complaint against the Government's action in bringing forward this Resolution. But, Sir, it has been brought out by various speakers that there is a necessity for a clear answer; and I would like to say, on behalf of Government that the adjournment of this question *sine die* will be interpreted by Government as a clear answer to the question in the negative, and that no provision will be made for the salary of Ministers.

Then, Sir, coming to Rai Harendranath Chaudhuri's amendment, I have a little doubt as to what the purport of his speech was. The amendment is that the salary of Ministers shall be provided after ascertaining from the different party leaders the circumstances under which a stable ministry can be formed. I have listened attentively to his speech and have gathered that it is the Government and not His Excellency the Governor that will ascertain from the different party leaders the circumstances under which a stable ministry can be formed. As for that, so

far as Government is concerned, I may say that it is entirely outside our province to ascertain the wishes of the different party leaders, and the circumstances under which a stable ministry can be formed, and that is the reason why Government must oppose his amendment. It is a recommendation to us to ascertain the wishes of the different party leaders, and when we have done that, we are not able to use the information we have got as it is outside our province—it is a recommendation that really goes beyond the province of this Government. But, as regards the conditions under which a stable ministry can be formed, there can be no question about it, that the Government as well as His Excellency the Governor are as interested as this Council in having a stable ministry. And His Excellency has authorised the announcement that opportunities will be provided for the Council to indicate that they have no confidence in the Ministers His Excellency appoints and that the Ministers will resign. There can be no greater guarantee that it is His Excellency's desire that a stable ministry shall be formed. There is, no doubt, therefore, that His Excellency will take the necessary steps in forming a ministry. As I have explained, we cannot accept the amendment and must oppose it.

Rai HARENDRANATH CHAUDHURI: May I rise to a point of order? The Hon'ble Sir Hugh Stephenson says that it is not the concern of the provincial Government but of His Excellency the Governor to ascertain the wishes of the different party leaders. If that be so, certainly the amendment should have been disallowed by you. I think, Sir, he has questioned your ruling.

Mr. PRESIDENT: Sir Hugh Stephenson has simply criticised your speech so far as I am able to gather.

Rai HARENDRANATH CHAUDHURI: The Hon'ble Member says that the matter is primarily the concern of His Excellency the Governor. If that be so, the amendment should have been disallowed.

Mr. PRESIDENT: I am rather surprised that such an earnest student as yourself of the Rules and Standing Orders should urge this as a point of order. I am quite sure you know that with regard to resolutions, it is the duty of the President to admit them as to form, and that it then devolves upon the Governor to allow or disallow them. I admitted your amendment as to form, and it is on the paper to be treated on its merits, and I understand the Hon'ble Sir Hugh Stephenson has suggested that it has no merits. It is not for me to decide one way or the other.

The Hon'ble Sir HUGH STEPHENSON: I entirely agree that Rai Harendranath Chaudhuri has camouflaged his proposal so as to bring it under the rules. I was not questioning any body's ruling but merely

stating the facts. The facts being what they are, I say Government are unable to accept the amendment. I put it to the House the issue is perfectly plain, and I hope that the House will vote on it in a plain way.

Mr. M. DAUD: Sir, the proposition before the House is whether Ministers' salaries should be provided in this year's Budget or not. In regard to the question whether there should be Ministers or not, my friends the Swarajists have made it perfectly clear as to their views on the matter. But the Nationalists have come out in this Council in their true colours. The objections of the Nationalists last time were that the then Ministers did not enjoy the confidence of the House. I ask my Muhammadan Swarajists to consider seriously the situation, and sincerely to say whether they (the Nationalists) are right or wrong. It has been argued by the Nationalists that Ministers should be appointed from those members who enjoy the confidence of the House. I appeal to the Muhammadan members of this House to unite, apart from party politics, and apart from petty differences of opinion, to say in right earnest that we the Muhammadans who form the majority in this Province want to maintain that there should be two Muhammadan Ministers. My friend the Kumar Saheb has argued with great emphasis—but he altogether forgets the fact that there are only 22 members in his party. If my friends the Muhammadan Swarajists come to our side we can ask His Excellency the Governor that the majority of the Ministers should be from our party. I appeal to my Muhammadan friends that this is the proper time to unite and request His Excellency to take the majority of the Ministers from the Muhammadans. With these few words I whole-heartedly support the Resolution moved by the Hon'ble Sir Abd-ur-Rahim. I do not see any reason to accept any of the amendments when the Nationalists in their heart of hearts know that they are going to accept the ministry in throwing off their disguise in the Council.

Maulvi ABDUL GAFUR: I wish to——

Mr. PRESIDENT: Would you speak a little louder, please?

Maulvi ABDUL GAFUR: Very well, Sir, I shall try to raise my voice as much as I can. As regards the Resolution I beg to submit that I cannot understand it, nor can I make any head or tail out of it—it is an anomaly, because it is a Government Resolution and the Government has got the fullest power and authority to appoint Ministers and as many as they like. The purpose of bringing forward this Resolution is clearly placed before the House and Mr. Sen Gupta on behalf of the Swaraj Party has most lucidly placed our point of view before the Council. The purpose is to tell the world that Bengal wants dyarchy in opposition to the wishes and efforts of the Swaraj party including

Hindus and Muhammadans. Therefore, I do not wish to speak much on the merits of the Resolution, but certainly it would be a misfortune for Bengal if under the stress of the present circumstances Hindus, Muhammadans and Europeans do not work together for the salvation of Bengal, for working out the destiny of Bengal and India. It would be a misfortune if we cannot unite under the present circumstances. The circumstances require that we should first have our demands met by the Government. If the Government do not care for our wishes, if the Government do not come down to fulfill our wishes, should we support such a Resolution? I say we should not; because as Mr. Sen Gupta has just now put it before the Council, the position is worse this year than the last. Moreover, it has cut me to the quick to hear such words falling from the lips of Kumar Shib Shekhareswar Ray—he said and his wordings were a little bit bitter—because the Ministers were unpopular. Indeed, my friends Maulvi Md. Nurul Huq Chaudhury, Mr. Sultan Ali and Mr. Daud have spoken and I do not wish to speak much on the question, but it is a fact that if the Nationalist party do accept the ministry they would be driving a wedge between the Hindus and Muhammadans for ever and the Hindus and Muhammadans will not come to meet on the same platform and by the acceptance of this ministry the Government will be given a handling, a strong handling to rule the country as it likes. Therefore, Sir, I beg to submit this much before the House that we should consider the question from various points and the position is really worse than it was last year and if it be so how can we accept the Resolution. I say we cannot accept it in any case. I, therefore, beg to ask the House to ponder for a moment whether we should not all join to throw out the Resolution and to support the amendment put forward by Mr. Sen Gupta.

Mr. PRESIDENT: I observe that a number of Muhammadan speakers are rising to speak. I should like to point out that I cannot have a repetition of what we have heard already from several speakers. If any one desires to discuss the merits of the Resolution, I will call upon him, but I would suggest that the matter under debate is not a question of the relative virtues of the Hindus and Muhammadans. That is quite outside the question.

Mr. S. N. HALDAR: I will not take up much of the time of the Council, but I will only show to the House the absurdity of the position that Government has taken up by recommending such a Resolution. Sir, under the rules it will not be possible for me to bring a negative resolution saying that no Ministers' salary be provided for in this year's Budget. Supposing I had sent a resolution to that effect, I would have been told that I was out of order, because the question of the Ministers' salary was not before the House. If that be an absurd position, then I say that this Resolution is also an absurdity. It is like putting the cart before the horse. There are no Ministers. We have shown during

the last session of the Council by our votes, and it has been made explicitly clear by our leader Mr. C. R. Das, that we want to end this present system of dyarchy or to mend it. Since that time up to now nothing has happened which would give us any indication that Government does want a ministry and that they are willing to act according to our wishes. Over and above that, as my friend Mr. Sen Gupta has already said, our opinions, our resolutions, have been flouted and flung back at our teeth: we have been insulted at every stage: our members have been spirited away: nearly 70 other members of other families have been taken away without trial, and this is a method which the Government has chosen for the purpose of terrorising us into submission. I can say for myself as well as on behalf of my party that we the members of the Sawarajya party refuse to be terrorised and bullied by the Government into submission. If the Government really desires that the dyarchy should be maintained this is not the attitude of mind, this is not the atmosphere which His Excellency should have created. He should have created an atmosphere of peace and good-will and the first offer of good-will should have come from the Government. We see no signs of it and yet we are asked to co-operate with Government who are trying at every step to throttle our aspirations and our movement. Another extraordinary thing is, as I can quite see with the vision of a Brahmin as I am, that the Muddiman Committee has got its majority report by one vote. The minority report consists of four gentlemen including Sir Sivaswami Aiyer, an ex-Member of the Executive Council of Madras, and they have, it is quite well-known to every one who takes any interest as regards political matters, said that dyarchy as it is in vogue at the present moment is absolutely unworkable and should be rejected. That is the recommendation of the minority committee and that recommendation as well as the recommendation of the majority committee have gone across the seas and are awaiting disposal by the Secretary of State. This is surely a camouflage for the purpose of showing to the civilised world that the Council of a major province like Bengal has put its seal upon the present system of dyarchy. We are not going to have it. Whether my friends the Muhammadans or my friends the Nationalists accept the ministry, their position will be just the same as it was a few months back. We cannot allow any ministry to go on unless and until our demands are satisfied, and it is for this reason that I have put forward this amendment of mine that the consideration of this question be postponed *sine die*.

Mr. PRESIDENT: I think the time has almost arrived for closing the debate. The position has been fully explored. I will now call upon Dr. Moreno to speak after which there will be the evening adjournment.

Mr. J. M. SEN GUPTA: Before you call upon Sir Abd-ur-Rahim to reply, may I have a few minutes just to make our position clear.

Mr. PRESIDENT: Is it by way of personal explanation?

Mr. J. M. SEN GUPTA: I am entitled to speak on the substantive resolution.

Mr. PRESIDENT: I shall have no objection to your speaking again, but I do not accept your proposition that you have a right to do so.

Dr. H. W. B. MORENO: It seems to me that the arguments of the Swaraj party are more or less in the way of vilification if nothing else. There has been a clear-cut issue before the House—are you going to have Ministers or are you not? We have heard Mr. Sen Gupta tell us with a great deal of persuasion but very little of argument that the intention of Government is to throw an apple of discord and their only avowed intention is to try to rule by terrorism—a point which has been emphasised by Mr. Haldar. Now with regard to that point I would only like to say that the Swarajists have very little to say in this matter. They are committed to a policy of obstruction and Government have no interest to consult them. It is to the interest of Government to consult those parties which are out to do real and effectual work. Therefore, I say, the Swarajists have no *locus standi* here. They are out for wrecking the constitution and for breaking the ministry, but they must remember, as Mr. Sen Gupta has already said, that they are in the minority and that there are others to be considered—others who are willing to work in order to make the Reforms a success. Then, again, another member, Mr. Md. Nurul Huq Chaudhury, the idol of the party, has said that the intention of Government is to spoil the feeling between Hindus and Muhammadans. Nothing of the kind. Government have put a clear-cut issue before those who are willing to work the Reforms and who are willing that a ministry should be formed for the purpose. We know now what the present position of the country is. We know that while there is no ministry, His Excellency carries on these nation-building departments entirely on his own. He is not responsible to Parliament, he is not responsible to the Secretary of State nor even to this House. I can conceive of nothing more autocratic than this and we have to thank those who by their methods have wrecked the ministry and have thus introduced the worst form of autocracy possible. Moreover, no effectual work can be done. Some of us have a good deal of things to do in this Council. We have resolutions, questions, Bills before the House and all these are held up simply because you cannot have these discussed before the House under the present circumstances.

Now, I think the Hon'ble Sir Abd-ur-Rahim has made a very reasonable request. It is not an abstract question, it is a very concrete question—are you going to have Ministers or are you going to leave the management of the Transferred Departments entirely to His Excellency who is the very model of a constitutional ruler? The question of the personnel of the ministry can very easily be settled out

of the House. In England when a ministry is formed, these matters are discussed outside the House. If a Conservative Ministry is appointed, the matter is discussed in the Carlton Club, or if a Liberal Ministry is appointed, the matter is discussed in the National Liberal Association. Here the views of the parties may be ascertained and the policy of Ministers as regards constructive work can be approved by the parties, leaving alone the obstructionists. I appeal to those who are for some sort of constructive work to express their approval in no uncertain manner. Remember, Sir, that we are the representatives of people outside who are now crying for relief and more relief in the way of water-supply, sanitation, education and public health. All these matters are now being neglected chiefly on account of political intrigues and dogmas. I appeal to the members to settle these matters once for all so that real and effectual work may be done in the province.

[The Council here adjourned for 15 minutes.]

After the adjournment.

Mr. H. S. SUHRAWARDY: In considering the academic question whether a ministry should be formed or not we have to decide in an abstract manner whether we accept dyarchy or we do not. By accepting the dyarchy I do not mean that we consider it a good workable proposition. On the other hand, as such we are opposed to it but in the sense that we can use the provisions of the Government of India Act to establish certain conventions which will give substantial powers to the Ministers and sufficient funds to the transferred departments not contemplated by the Government of India Act. If we do not accept dyarchy in this limited sense, then we come here to obstruct.

As an abstract proposition we are not here to obstruct, so if the Government wants from us an abstract opinion, an abstract *futwa*, we cannot in principle be against the establishment of a ministry. Now if we say that a ministry should be formed, should it be with or without conditions. It is clear that in the present atmosphere it is impossible for a stable ministry to be formed without conditions. These conditions should be such as may help to give larger powers to the ministry, and a preponderating voice to the Ministers in the destinies of the Province. Some conditions have, therefore, to be evolved in the concrete which may be consistent with the Government of India Act and at the same time help to advance the people's cause, and secure for them their rights and liberties. These conditions which must be practical can only be evolved after serious consideration and serious consultation amongst the best and most influential men in the House. The issue is perfectly clear, and if the Government is really anxious to have a ministry as a practical proposition and not as some allege, it is being influenced by some die-hards in it who are glad because they

are unhampered by a ministry, and, who would be more than glad if Bengal was declared a backward Province and they could continue to heap oppression on the people of Bengal without fear and opposition, then there is no course open to them but to accept the amendment of Rai Harendranath Chaudhuri.

So far as the personal observations of Maulvi Md. Nurul Huq Chaudhury are concerned I do not think they were called for or were good taste, and I pass them by in silence. An attempt has been made to raise the communal issue, and to suggest that the last Ministers were defeated because they were Muhammadans. I am sorry that there are some who hold this view. I do not at this stage desire to dilate upon the several causes that brought about the downfall of the ministry, their accumulated sins which forfeited them the confidence of the House and how they rode to their fall. Apart from the Swaraj party which opposed the ministry on the question of principle, we judged them by their actions, by their diplomacy, by the way in which they gradually attempted to sow dissension between community and community, by the open manner in which they supported the Government in the Resolution which called for the release of political prisoners, and by their appeal for votes in the name of Islam and religion. Some members are here who voted for them because they were Muhammadans, because of their personal appeal in the name of religion, knowing full well that they had been weighed and found wanting. But to those who voted against them, it would have been immaterial whether the Ministers were Hindus or Muhammadans. Indeed, we know of some Hindu members who have flouted their constituencies and public opinion, who would have been defeated in precisely the same manner.

I would, therefore, beg the members not to consider the downfall or formation of a ministry as a communal question. Cannot we look at it from a broader standpoint? Would you say that if there are Ministers it helps the cause of the country and of the Muhammadans if there are two Muhammadan Ministers however undesirable they may be. Does our fate, does our destiny depend upon what is the religious denomination of the Ministers? If this is the view we take, then woe to our political consciousness that cannot rise above communal prejudices and suspicion. I am sure that the members will not be carried away by their communal sentiment. I would beg them not to listen to the malign allegations of the hidden hand; it is an injustice, an insult to the good sense of the members to say that it was communal or personal considerations that influenced their vote.

This is my last appeal to them. May their love for their country save them from the catastrophe of a divided people.

Babu UMES CHANDRA CHATTERJEE: Ministers are costly shows which India has not the money to pay for. Let us have control

over the purse and Foreign Relations and we will agree to them. What shall we do with the Department of Self-Government which is concerned with road-making and municipalising? Cart tracks and motor tracks we do not want because they help foreign trade by sustaining the railways. Municipalities we do not want; they are emporiums of foreign goods and they flourish by destroying the villages. So Ripon-Self-Government is no good to us; on the other hand it is bane to us in the worst sense of it.

Then sanitation has no meaning without nourishment. Nourishment the Government do not supply us with. Therefore, we must suspend the department till we attain full freedom. University education we must eschew. It does not make us men. It helps us in cutting our hairs and in dividing them in well defined sections; it infuses a lust for spectacles and wrist watches; it fosters *upkeweastcness* and subserviency; it makes us foppish; it unmans us; it makes us a nation of clerks. This education is a family-ruiner and loses the charm for the recipient as soon as he comes out of the college and experiences the scarcity of service. So why should we spend money for this sort of education?

As regards industry we do not want any department for it. We had industries; these, the foreign trade has destroyed; their revival is impossible without the suspension of the foreign trade.

Agriculture has waned. No amount of costly department will rejuvenate it. The Sundurbands and other jungles have been destroyed for the furtherance of the foreign trade and the result has been that the rains have been made irregular and insufficient. The little rain that we still have, we cannot reserve; for the reservoirs of water have silted up and we have no money to re-excavate them. It will not do to say " Why don't you adopt the co-operative system? " We are unaccustomed to the system and I believe it is foreign to our nature. Indian Kings never practised or enforced it; they use to take all the trouble for the supply of water for drinking and irrigation purposes themselves and paid all the money from the Government exchequer. They had not to spend all the revenue for the maintenance of a colossal army. It is unwise to ask us to change our nature which has been formed from time immemorial.

I verily believe that the aforesaid five departments will not rejuvenate us. I, therefore, proposed for the curtailment of the departments and fusing them all into one department, so that a comparatively small expenditure might suffice to satisfy the whims of the Government and save enough money for expenditure in other useful purposes and lowering the crushing tax. But the Government rejected my motion as soon as proposed. Government cry hoarse for co-operation in the guise of subserviency and therefore reject real and well-meaning co-operation whenever offered. In conclusion, I must say that

none of these departments existed in the present fashion before the British people came into India but our predecessors were in the least worse off for want of them. With these observations I request the House to reject the Government motion for the inclusion of Ministers' salaries in the coming budget.

[After the member had delivered his speech as above, he asked permission of the Hon'ble President to speak in Bengali in further elaboration of his points. Mr. President disallowed this, and the member continued to speak in English.]

Let there be no dissension amongst us over this matter. From the point of view of India's interest we should sink our differences and I request all the parties to join us in opposing the Resolution which has been brought by Government. If this Resolution is passed Ministers will come into existence and this will mean huge expenditure which will serve no purpose whatsoever. Why vote only for the postponement of the Government motion? Let us join shoulder to shoulder in opposing the main resolution and reject it and do away with dyarchy altogether.

Mr. PRESIDENT: Mr. Sen Gupta, before the adjournment you desired to make a personal explanation. You are generally a model of conciseness and I hope you will be so this time also.

Mr. J. M. SEN GUPTA: Thank you for the compliment, Sir.

[At this stage several members rose to speak, but Mr. President ruled that as the subject had been amply discussed, he could not allow further speeches.]

Mr. J. M. SEN GUPTA: I propose to take only two minutes. The first thing I want to point out to the Government is this, that if they want a straight fight and straight answer to their question then let the Government advise His Excellency the Governor to dissolve the Council. They will know the answer positively; they will know what Bengal says. Instead of that they have taken recourse to this unfair method. This is not a straightforward course. His Excellency the Governor should have dismissed, should have exacted resignation from the Ministers directly their salaries were rejected on the first occasion. He did not do so. I am not going, as I am not permitted, to censure His Excellency or in any way comment on his conduct. All that I say is this, as His Excellency is now anxious to know whether we will support any ministry or not, the best way to do it is to dissolve the Council and let the Councillors go back and come back to the Council after fighting an election on that issue. That will be a much better course for Government to follow and it will satisfy all parties.

As I may not be able to say anything after the voting starts on the two amendments and on the principal resolution I want to make my

position and the position of my party absolutely clear on the voting. We are going to vote for our amendment and I hope the other members will also do so. Now with regard to the amendment moved by the Nationalist party. Having regard to the attitude taken up by the Government respecting it, I and my party will vote with the Nationalists on that amendment in pursuance of our declared policy that we will join hands with any party in this Council against the Government. It does not mean that while supporting the amendment we are in favour of any formation of a ministry.

The Hon'ble Sir ABD-UR-RAHIM: The debate has done this much that we now know what the position of the different groups is in this Council. Mr. Sen Gupta has stated in no unambiguous terms that it is his party—the Swaraj party and the Swaraj party alone that is wedded to a policy of obstruction and to throwing out the Reforms. He has also told us which I do not think required any elucidation that his party is in a minority in this Council.

As regards the Nationalists we have had speeches from a large number of members including Mr. Chakravarti my old friend.

As regards Mr. Chakravarti's attitude I must say it is somewhat difficult for me to follow. What he is going to do on this occasion I do not know for I do not think that he has enlightened the House upon that.

As regards Rai Harendranath Chaudhuri's amendment Sir Hugh Stephenson has already told the House that we are unable to accept it and the reason is plain. The appointment of the ministry is entirely in the hands of the Governor. It is not the concern of the Government. It is for him to decide what procedure he will follow to form the ministry; he may consult the Members of his Executive Council if he thinks fit, he may consult outsiders or any number of members of this House. That is entirely a question for him and it is not for us to suggest that he should follow a particular procedure. That is the reason why we are unable to accept this amendment. What he will do is not for us to suggest. But there can be no doubt from past experiences of action taken by His Excellency in similar matters that he will try to find out what is the best means to form a stable ministry.

Mr. H. S. SUHRAWARDY: May I ask a question? Is it not the province of the Governor to appoint Ministers and not of the Council to suggest the formation of a Ministry?

Mr. PRESIDENT: I think you are asking for an interpretation of the Act. You are at liberty to interpret the Act according to your own view.

Mr. H. S. SUHRAWARDY: That was not my question at all.

Mr. PRESIDENT: Instead of asking a question you are trying to obtain an interpretation of the Statute.

Mr. H. S. SUHRAWARDY: Then may I ask a simple question?

Mr. PRESIDENT: You have already asked it.

The Hon'ble Sir ABD-UR-RAHIM: If the hon'ble member had borne in mind the terms of my Resolution he would have got an answer to the question. The terms of the Resolution are that this Council recommends to the Government that provision for Ministers' salaries be made in the Budget. It is the function of the Government and not the Governor to provide Ministers' salaries in the Budget. The question in the Resolution is asked because we want to make sure whether this Council wants or does not want popular Ministers to be in charge of the Transferred Departments so that we can frame the Budget accordingly. If they do not want Ministers then His Excellency the Governor will apply to the proper authority under Rule 6 of the Devolution Rules for the retransfer of these departments.

As regards the amendments we are not in a position to accept any of them.

As regards the Swaraj party's amendment recommending the postponement of the consideration of the subject I should have thought that they would have been the first to welcome a Resolution of this kind if they are right in their repeated assertions that this Council or the country does not want Ministers. They know, as a matter of fact, that the opinion of the Council is the other way and that is why they want to avoid the issue. They themselves, however, do not want popular Ministers to run the Transferred Departments.

I have said that I do not want to discuss the merits or the demerits of the Government of India Act on the present occasion. All that I want to know is whether it is the clear opinion of the Council that salaries should be provided for Ministers in the Budget. That is the plain issue. It is no use shelving it. If the House shelves it by a postponement of the consideration of the subject the result will be that no salaries will be provided in the Budget and these nation-building subjects will be transferred back. I have nothing further to say.

The amendment of Mr. J. M. Sen Gupta was then put and a division taken with the following result:—

AYES.

Ahamad, Maulvi Asimuddin.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjee, Mr. A. C.
Bose, Babu Bijoy Krishna.
Chakravarti, Babu Jogindra Chandra.
Chatterjee, Babu Umes Chandra.
Chaudhuri, Maulvi Saiyed Abdur Reb.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das Gupta, Dr. J. M.
Dey, Babu Sarada Prasad.
Gafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Haldar, Mr. S. N.

Khan, Shah Syed Emdadul.
Haque, Maulvi Sayedul.
Hussain, Maulvi Wahed.
Jeardar, Maulvi Aftab Hossain.
Khan, Maulvi Abdur Rasshid.
Khan, Maulvi Ghabi Uddin.
Mahammad, Maulvi Bashir.
Maity, Babu Mahendra Nath.
Mitra, Babu Jogendra Nath.
Mosher, Babu Hem Chandra.
Neogi, Babu Manmohan.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcouripati.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Sarkar, Babu Nemanta Kumar.
Sarkar, Babu Jatindranjan.
Sen Gupta, Mr. J. M.
Singha, Mr. Arun Chandra.
Suhrawardy, Dr. A.
Taraidar, Maulvi Rajib Uddin.
Yasin, Maulvi Muhammad.

NOES.

Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Ahmed, Maulvi Tayebuddin.
Ahmed, Maulvi Zannoor.
Aley, Khan Bahadur S. Mahboob.
Ali, Maulvi Sayyed Sultan.
Ali, Mr. Altaf.
Band, Mr. R. N.
Banerjee, Babu Satya Kishore.
Banerjee, Rai Bahadur Abinash Chandra.
Barma, Rai Sahib Panchanan.
Barton, Mr. N.
Basu, Shad Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Chaudhuri, Nawab Shhdur Saiyid Nawab Ali, Khan Bahadur.
Chainuddin, Khan Bahadur Maulvi Md.
Chowdhury, Maulvi Fazlal Karim.
Cohen, Mr. D. J.
Cooper, Mr. C. B.
Corcoran, Mr. S. J.
Currie, Sir William.
Das, Babu Charu Chandra.
Daud, Mr. M.
De, Mr. K. C.
Dey, Mr. S. C.
Donald, the Hon'ble Mr. J.
Dose, Rai Bahadur Pyari Lal.
Dutt, Mr. S. S.
Eddis, Mr. S. E. G.
Faruqui, Khan Bahadur K. G. M.
Godfrey, Sir George.
Goenka, Rai Bahadur Badridas.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Mucharrul.
Huq, Maulvi A. K. Fazl-ul.
Huq, Maulvi Ekramul.
James, Mr. F. E.
Khaitan, Babu Debi Prasad.
Lal Mahammed, Haji.
Law, Raja Reshee Case.
Liddell, Mr. H. C.
Masih, Mr. Syed M.
Mitter, Sir Provash Chunder.
Morone, Dr. H. W. B.
Morgan, Mr. G.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Nazimuddin, Khaja.
Oaten, Mr. E. F.
Pahlowan, Maulvi Md. Abdul Jubbar.
Phelps, Mr. T. J.
Quader, Maulvi Abdul.
Rahim, the Hon'ble Sir Abd-ur-
Rahman, Mr. A. F.
Ray, Babu Nagendra Narayan.
Ray, Babu Surendra Nath.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra.
Ray Chaudhuri, Mr. K. C.
Ray, Mr. Tarit Bhusan.
Ray, Raja Manilell Singh.
Salam, Khan Bahadur Maulvi Abdus.
Sarkar, Maulvi Allah Baksh.
Skinner, Mr. S. A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Villiers, Mr. E.
Wilson, Lt.-Col. R. F.
Woodhead, Mr. J. A.

The Ayes being 41 and the Noes 75, the motion was lost.

The amendment of Rai Harendranath Chaudhuri was then put and a division taken with the following result:—

AYES.

Ahamad, Maulvi Asimuddin.
Ali, Mr. Altaf.
Bagchi, Babu Raman Chandra.
Banerjee, Dr. Pramathanath.
Banerjee, Mr. A. C.
Bose, Babu Bejoy Krishna.
Chakravarti, Babu Jogindra Chandra.
Chakravarti, Mr. Syamlan.

Chakravorty, Babu Sudarsan.
Chatterjee, Babu Umes Chandra.
Chaudhuri, Rai Harendranath.
Chaudhuri, Maulvi Saiyed Abdur Reb.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mahini Mohen.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dey, Babu Sereda Prosad.
Gafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Haidar, Mr. S. N.
Haq, Shah Syed Emdadul.
Noque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Jeardar, Maulvi Aftab Hossain.
Khan, Babu Debendra Lal.
Khan, Maulvi Abdur Rasehid.
Khan, Maulvi Mahi Uddin.
Mahammad, Maulvi Basar.
Maity, Babu Mahendra Nath.
Mitra, Babu Jogendra Nath.
Mukerjea, Babu Taraknath.
Nasker, Babu Hem Chandra.
Neogi, Babu Manmohen.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Dr. Kumud Sankar.
Ray, Kumar Shib Shekhareswar.
Ray, Babu Manmatha Nath.
Ray, Babu Sateowripati.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy Chaudhuri, Babu Saisja Nath.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarkar, Babu Hemanta Kumar.
Sarker, Babu Naliniranjan.
Sen, Mr. N. C.
Sen Gupta, Mr. J. M.
Singha, Mr. Arun Chandra.
Suhrawardy, Dr. A.
Suhrawardy, Mr. H. S.
Tarafdar, Maulvi Rajib Uddin.
Yasin, Maulvi Muhammad.

NOES.

Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Ahmed, Maulvi Tayebuddin.
Ahmed, Maulvi Zannoor.
Alay, Khan Bahadur S. Mahbeeb.
Ali, Maulvi Sayyed Sultan.
Band, Mr. R. N.
Banerjee, Babu Satya Kishore.
Banerjee, Rai Bahadur Abinash Chandra.
Barma, Rai Sahib Panchanan.
Barton, Mr. H.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Chaudhuri, Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Choinuddin, Khan Bahadur Maulvi Md.
Chowdhury, Maulvi Fazlal Karim.
Cohen, Mr. D. J.
Cooper, Mr. C. G.
Corcoran, Mr. B. J.
Currie, Sir William.
Das, Babu Charu Chandra.
Daud, Mr. M.
De, Mr. K. C.
Dey, Mr. G. G.
Donald, the Hon'ble Mr. J.
Dosa, Rai Bahadur Pyari Lal.
Dutt, Mr. G. S.
Eddis, Mr. B. E. G.
Farequi, Khan Bahadur K. G. M.
Godfrey, Sir George.
Goenka, Rai Bahadur Badridas.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Kusharruf.
Huq, Maulvi A. K. Fazl-ul.
Huq, Maulvi Ekramul.
James, Mr. F. E.
Khaitan, Babu Debi Prosad.
Lal Mahammed, Haji.
Law, Raja Reshee Case.
Liddell, Mr. H. C.
Masih, Mr. Syed M.
Mitter, Sir Provash Chunder.
Morene, Dr. H. W. B.
Morgan, Mr. G.
Mukerji, Mr. S. C.
Nazimuddin, Khaja.
Oaten, Mr. E. F.
Pahlawan, Maulvi Md. Abdul Jubbar.
Phelps, Mr. T. J.
Quader, Maulvi Abdul.
Rahim, the Hon'ble Sir Abd-ur-.
Rahman, Mr. A. F.
Ray, Babu Nagendra Narayan.
Ray, Babu Surendra Nath.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra.
Ray Chaudhuri, Mr. K. C.
Ray, Mr. Tarit Bhusan.
Ray, Raja Manilell Singh.
Salam, Khan Bahadur Maulvi Abdus.
Sarkar, Maulvi Allah Baksh.
Skinner, Mr. S. A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Villiers, Mr. S.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

The Ayes being 54 and the Noes 73, the motion was lost.

The original motion of the Hon'ble Sir Abd-ur-Rahim was then pu and a division taken with the following result:—

AYES.

Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Ahmed, Maulvi Tayebeddin.
Ahmed, Maulvi Zannoor.
Aley, Khan Bahadur S. Mahboob.
Ali, Maulvi Sayyed Sultan.
Ali, Mr. Altaf.
Band, Mr. R. N.
Banerjee, Babu Satya Kishore.
Banerjee, Rai Bahadur Abinash Chandra.
Barma, Rai Sahib Panchanan.
Barton, Mr. H.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Chaudhuri, Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Choinuddin, Khan Bahadur Maulvi Md.
Chowdhury, Maulvi Fazlal Karim.
Cohen, Mr. D. J.
Cooper, Mr. C. G.
Corcoran, Mr. S. J.
Currie, Sir William.
Das, Babu Charu Chandra.
Daud, Mr. M.
De, Mr. K. C.
Dey, Mr. S. G.
Donald, the Hon'ble Mr. J.
Dosa, Rai Bahadur Pyari Lal.
Dutt, Mr. G. S.
Eddis, Mr. S. E. G.
Farequi, Khan Bahadur K. G. M.
Godfrey, Sir George.
Goenka, Rai Bahadur Badridas.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Mucharru
Huq, Maulvi A. K. Fazl-ul.
Huq, Maulvi Ekramul.
James, Mr. F. E.
Khaitan, Babu Debi Prosad.
Lal Mahammed, Haji.
Law, Raja Reshee Case.
Liddell, Mr. H. C.
Masih, Mr. Syed M.
Mitter, Sir Provash Chunder.
Morene, Dr. H. W. B.
Morgan, Mr. G.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Nazimuddin, Khaja.
Oaten, Mr. E. F.
Pakhowan, Maulvi Md. Abdul Jubbar.
Phelps, Mr. T. J.
Quader, Maulvi Abdul.
Rahim, the Hon'ble Sir Abd-ur-.
Rahman, Mr. A. F.
Ray, Babu Nagendra Narayan.
Ray, Babu Surendra Nath.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra.
Ray Chaudhuri, Mr. K. C.
Ray, Mr. Tarit Bhusan.
Ray, Raja Manilell Singh.
Salam, Khan Bahadur Maulvi Abdus.
Sarkar, Maulvi Allah Baksh.
Skinner, Mr. S. A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Villiers, Mr. E.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

NOES.

Ahamad, Maulvi Asimuddin.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjee, Dr. Pramathanath.
Banerjee, Mr. A. C.
Bose, Babu Bejay Krishna.
Chakravarti, Babu Jogindra Chandra.
Chakraverty, Babu Sudarsan.
Chatterjee, Babu Umes Chandra.
Chaudhuri, Rai Harendranath.
Chaudhuri, Maulvi Saiyed Abdur Reb.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dey, Babu Sorada Prosad.
Eafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Haidar, Mr. S. N.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Jeardar, Maulvi Aftab Hossain.
Khan, Maulvi Abdur Rasohid.
Khan, Maulvi Mahi Uddin.
Mahammad, Maulvi Basar.
Maity, Babu Mahendra Nath.
Mitra, Babu Jogendra Nath.
Mukerjea, Babu Tarakanath.
Naskar, Babu Hem Chandra.
Neogi, Babu Manmohan.
Raihat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Dr. Bidhan Chandra.

Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy Choudhuri, Babu Saileja Nath.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarkar, Babu Hemanta Kumar.
Sarker, Babu Naliniranjan.
Sen, Mr. N. D.
Sen Gupta, Mr. J. M.
Singha, Mr. Arun Chandra.
Suhrawardy, Dr. A.
Suhrawardy, Mr. H. S.
Tarafdar, Maulvi Majib Uddin.
Yasin, Maulvi Muhammad.

The Ayes being 75 and the Noes 51, the motion was carried.

Adjournment.

The Council was then adjourned till 3 P.M. on Wednesday, the 18th February, 1925, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Wednesday, the 18th February, 1925, at 3 P.M.

Present:

The Hon'ble the President in the Chair, the four Hon'ble Members of the Executive Council, and 114 nominated and elected members.

Starred Questions

(to which oral answers were given).

Settlement expenses in Jessore.

*VII. **Babu SATYA KISHORE BANERJEE:** (*a*) Will the Hon'ble the Member in charge of the Revenue Department be pleased to state whether it is a fact that in thana Moheshpore (district Jessore) and in some other thanas the zamindar has had to pay settlement expenses even in cases where the mauzas are let out in *patni* tenure?

(*b*) If so, why has this distinction been made between these thanas and other thanas where the *patnidar* paid the landlord's share of expenses?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur): (*a*) Yes.

(*b*) No such distinction has been made.

Saraswati and Ghea Irrigation Projects.

*VIII. **Babu SATYA KISHORE BANERJEE:** Will the Hon'ble the Member in charge of the Department of Irrigation be pleased to state how far the Saraswati Project and the Ghea Project have advanced since last year?

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur): The Saraswati river is at present being surveyed and arrangements are being made to re-open the sluice at Jamalpore in the Burdwan district, so as to increase the supply of water in the Kana Nadi and Saraswati; this additional supply will probably be available during the next monsoon: during the last monsoon attempts have been made to flush the Saraswati from the Eden Canal with a certain degree of success but it has been found that the supply available is insufficient to

thoroughly flush the Saraswati, the source of supply being some 70 miles away at Joojooty above Burdwan.

In regard to the Ghea the channel will be silt cleared and it is intended to irrigate a portion of the affected area by a new distributary from the Kana Nadi at Gorulmuri, which is now being designed.

Procedure in matter of appeal by officers dismissed by Superintendents of Police.

***IX. Babu SUDARSAN CHAKRAVORTY:** (*a*) Will the Hon'ble the Member in charge of the Department of Police be pleased to state who is the appellate authority in the matter of dismissal of ministerial officers drawing Rs. 50 and above by a Superintendent of Police with the concurrence of the Deputy Inspector-General of Police?

(*b*) Is the appellant permitted to be present at the hearing of the appeal if he desires to do so?

(*c*) Is it not a rule that original papers are called for in deciding the appeals and records are made complete, so as to enable reference to be made to original papers at the hearing?

(*d*) Are Government servants who are proceeded against allowed to defend themselves and to be present at the time of examination of records?

(*e*) Are they allowed to examine other officers and clerks and any record which may go in their favour?

(*f*) Is it not a fact that transfers are sometimes made from the ministerial cadre of the Inspector-General of Police, to the district cadre with definite orders that their posting should be in particularly unhealthy districts?

(*g*) Are the ministerial officers who have earned pension deprived of the same if discharged as the result of the proceedings taken against them?

(*h*) Who is "a District Officer" within the meaning of "Rules regarding the presentation of appeals and petitions" presented by a ministerial officer of the Police Department?

MEMBER in charge of DEPARTMENT of POLICE (the Hon'ble Sir Hugh Stephenson): (*a*) If the order of dismissal is passed by a Superintendent of Police with the concurrence of the Deputy Inspector-General, the appellate authority is the Inspector-General of Police.

(*b*) Not ordinarily.

(*c*) All connected papers and proceedings of a case are forwarded to the appellate authority by the officer against whose orders the appeal is made.

(*d*) and (*e*) The person proceeded against is not present at the time when an appeal is considered, but he is allowed to be present at the original departmental inquiry and is given opportunity of cross-examining witnesses, and is supplied with copies of the relevant papers.

(*f*) No. The cadres are quite separate.

(*g*) This depends upon the circumstances of the case.

(*h*) So far as the Police Department is concerned the power of "District Officer" is exercised by the Deputy Inspector-General of Police.

Ministerial staff in the Judges' Courts, Nadia.

***X. Mr. M. DAUD:** (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to lay on the table a complete list of peshkars, nazirs, clerks, amlas and typists, with their names and pay working *at present* in the Judge's and Sub-Judge's Courts in the district of Nadia?

(*b*) How many of them are Muhammadans?

(*c*) Will the Hon'ble the Member be pleased to state the names of those Muhammadan employees with their designation and pay?

(*d*) Are the Government considering the desirability of filling one-third of all posts by Muhammadans by appointing in future Muhammadan candidates for new posts, as apprentices and by filling up vacancies by Muhammadans in the said Nadia District Courts?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Sir Abd-ur-Rahim): (*a*), (*b*) and (*c*) A statement is laid on the table.

(*d*) Government have already accepted the policy that one-third of the vacancies in ministerial posts should be filled by Muhammadans, till 33 per cent. of the posts are held by members of that community and issued instructions to that effect. They are also considering what further steps, if any, should be taken to raise the proportion of Muhammadans to 33 per cent. in reasonable time.

Statement referred to in the reply to clauses (a), (b) and (c) of starred question No. X.

	Names of officers with designation.	Grade.	Pay.
	Judge's Court.	Rs.	Rs.
1.	Babu Girindra Nath Sanyal, Sarishtadar ..	.. 175—275	195
2.	Babu Satish Chandra Sarkar, Nazir ..	.. 175—225	195
3.	Moulvi S. M. Akbaruddin, Head Clerk and Translator	.. 145—170	155
4.	Babu Abinash Chandra Banerji, Accountant ..	.. 80—140	100
5.	Babu Satish Chandra Ray, Peshkar ..	.. 80—140	96
6.	Babu Nakuleswar Chakravartty, Record-keeper	.. 80—140	80

	Names of officers with designation.	Grade.	Pay.
		Rs.	Rs.
7.	Nirmal Chandra Bhadra, Sessions Clerk and Stenographer ..	125	125
8.	Babu Sarvasukh Sanyal, Head Comparing Clerk ..	35—80	80
9.	Babu Radhika Prasannr. Chatterji, Second Clerk ..	35—80	80
10.	Babu Abhoy Charan Chakravartty, Assistant Accountant ..	35—80	80
11.	Babu Kishori Lal Chatterji, Clerk	35—80	74
12.	Babu Tarak Das Mukherji, Naib Nazir	35—80	71
13.	Babu Khagendra Nath Mukherji, Assistant Comparing Clerk	35—80	66
14.	Babu Suresh Chandra Ghosh, Clerk	35—80	66
15.	Babu Nrisingha Prosad Muhuri, Clerk	35—80	65
16.	Babu Abani Nath Biswas, Clerk	35—80	64
17.	Babu Devendra Nath Ray, Clerk	35—80	64
18.	Babu Promatha Nath Bhattacherji, Nazir's Clerk ..	35—80	58
19.	Babu Nirmal Chandra Sarkar, Clerk	35—80	48
20.	Babu Sanat Kumar Gupta, Clerk	35—80	48
21.	Babu Prokash Chandra Bose, Clerk	35—80	48
22.	Babu Amalendu Bakshi, Clerk	35—80	48
23.	Babu Promathe Chatterji, Clerk	35—80	48
24.	Babu Anukul Chandra Karmakar, Assistant Comparing Clerk	35—80	44
25.	Babu Benoy Bhusan Gupta, Reserve Clerk	35—80	35
26.	Babu Nihar Kumar Ray, Reserve Clerk	35—80	35
27.	Babu Bhola Nath Banerji, Temporary Additional Comparing Clerk	35	35

Subordinate Judge's Court.

1.	Babu Nritya Gopal Bhowmik, Sarishtadar	80—140	104
2.	Babu Surja Kanta Muhuri, Peshkar, now on deputation to act as Sarishtadar, Munsif's Second Court, Sadar. Munshi Ehtesham Hussein acting in his place.	35—80	80
3.	Babu Krishna Chandra Sarnakar, Clerk	35—80	80
4.	Babu Mathura Nath Chakravartty, Clerk	35—80	74
5.	Munshi Ehtesham Hussein now acting as Peshkar. Munshi Mozahar Ali acting in his place.	35—80	66

(b) Two only are Muhammadans.

(c) Names and designation.

1.	Moulvi S. M. A'tbaruddin, Head Clerk and Translator ..	..	155
3.	Munshi Ehtesham Hussein, Clerk, Sub-Judge's Court, now acting as Peshkar	..	66

List of remunerated typists in this Court.

1. Babu Ashutosh Ganguly.
3. Babu Panchanan Mukherji.
3. Babu Jatindra Nath Bakshi.
4. Babu Nalini Kanta Chatterji.
5. Babu Kumar Nath Sanyal.
6. Babu Kamini Kumar Mallik.
7. Babu Satyendra Nath Lahiri.
8. Babu Prafulla Kumar Sarkar.
9. Babu Akshoy Kumar Biswas.

There is no salaried typist in this court.

Officers and clerks in the Shipping Office in Calcutta.

*XI. **Mr. M. DAUD:** (a) Will the Hon'ble the Member in charge of the Marine Department be pleased to lay on the table a statement showing the names, designations and pay of the officers and clerks at present working in the Shipping Office, Calcutta?

(b) Will the Hon'ble the Member be pleased to state also the names with designation and pay of those who are Muhammadans?

MEMBER in charge of MARINE DEPARTMENT (the Hon'ble Mr. J. Donald): (a) The Shipping Master and the Assistant Shipping Master draw the following rates of pay:—

Shipping Master—Captain H. F. Darvell, Rs. 1,250—50—1,600 (present pay Rs. 1,250) plus overtime fees and motor car allowance of Rs. 100 if a two-seater or Rs. 150 if a four-seater car is maintained.

Assistant Shipping Master—Mr. E. Whayman, Rs. 750—25—1,000 (present pay Rs. 850) plus overtime fees on Sundays and holidays plus Rs. 30 per mensem conveyance allowance and also Calcutta House Allowance.

The details as to names, designation and pay of the clerks are not considered to be of sufficient public interest to justify the time and trouble that would be involved in their compilation.

(b) There is one Muhammadan Typist, M. Salimuddin, on a pay of Rs. 45—$\frac{5}{2}$—70.

Officer-in-charge of Seamen's Recruitment Bureau.

*XII. **Mr. M. DAUD:** (a) Will the Hon'ble the Member in charge of the Department of Marine be pleased to state what action, if any, has been taken by the Government to enforce the recommendations of the Seamen's Recruitment Committee?

(b) Will the Hon'ble the Member be pleased to state whether Advisory Committees are to be constituted along with the establishment of the Seamen's Recruitment Bureau?

(c) Will the Hon'ble the Member be pleased to state whether the post of the Officer-in-charge of the Seamen's Recruitment Bureau was advertised or not?

(d) If the answer to (c) is in the negative, will the Hon'ble the Member be pleased to state the reasons?

(e) Will the Hon'ble the Member be pleased to state at whose recommendation Captain H. F. Darvell has been appointed as the Officer-in-charge of the Seamen's Recruitment Bureau?

(*f*) Will the Hon'ble the Member be pleased to state whether Captain Darvell's appointment is a temporary or a permanent one?

(*g*) Will the Hon'ble the Member be pleased to state whether he has experience of the Seamen's Recruitment System on the lines of the Genoa recommendations?

(*h*) Is the Hon'ble the Member aware that the Indian Seamen's Union recommended Mr. George Gunning, Secretary, National Maritime Board, Swansea Branch, England, for the post of the Officer-in-charge of the Seamen's Recruitment Bureau?

(*i*) If so, will the Hon'ble the Member be pleased to state why he was not appointed?

(*j*) Are the Government considering the desirability of advertising the post of the Officer-in-charge of the Seamen's Recruitment Bureau, for inviting application from experienced officers having experience of the Seamen's Recruitment System in England on the lines of the Genoa Conference's recommendations?

The Hon'ble Mr. J. DONALD: (*a*) An officer of the Mercantile Marine has been appointed to be Shipping Master and Officer-in-charge of the Recruitment Bureau.

(*b*) At the present stage it is impossible to say whether Advisory Committees will be constituted or not.

(*c*) No; it was not advertised.

(*d*) Government did not consider that this was a case in which recourse should be had to advertisement.

(*e*) Government are not prepared to give this information.

(*f*) Temporary, in the first instance.

(*g*) Captain Darvell has had wide experience of recruitment of all kinds.

(*h*) Yes.

(*i*) Government are not prepared to state the reasons for their selection of any officer in preference to another.

(*j*) This does not arise.

Seamen's Recruitment Bureau.

***XIII. Mr. M. DAUD:** (*a*) Will the Hon'ble the Member in charge of the Department of Marine be pleased to state the number of assistants that will be necessary for the maintenance of the Seamen's Recruitment Bureau?

(*b*) Are the Government considering the desirability of filling up the posts of the assistants by Muhammadan candidates?

The Hon'ble Mr. J. DONALD: (*a*) Government are not in a position at present to state the exact number of assistants that will be required for the maintenance of the Bureau.

(*b*) The question does not arise at present.

Proportion of Muhammadans in Nadia Collectorate.

***XIV. Mr. M. DAUD:** (*a*) Will the Hon'ble the Member in charge of the Revenue Department be pleased to lay on the table a complete list of peshkars, naxirs, clerks, amlas and typists with their names and pay, working *at present* in the Nadia Collectorate?

(*b*) How many of them are Muhammadans?

(*c*) Will the Hon'ble the Member be pleased to state the names, with designation and pay, of the Muhammadan employees?

(*d*) Are the Government considering the desirability of filling one-third of all posts by Muhammadans by appointing in future Muhammadan candidates for new posts, as apprentices, and by filling up vacancies by Muhammadan candidates in the Nadia Collectorate?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur: (*a*), (*b*) and (*c*) Government are not prepared to state the names, designation and pay of all ministerial officers in the offices under the Magistrate and Collector of Nadia. There are 101 officers of whom 23 are Muhammadan; all of these are at present in the Lower Division and draw pay varying between Rs. 35 and Rs. 74 a month.

(*d*) Under rule 55 of the Board's Miscellaneous Rules, 1918, the proportion of ministerial appointments to be held by Muhammadans has been fixed at one-third for all parts of the Presidency except the Burdwan Division and Darjeeling; the filling of vacancies in the Nadia Collectorate is governed by this rule, which is being followed.

Visitors of persons detained under Regulation and Ordinance.

***XV. Babu BORODA PROSAD DEY:** Will the Hon'ble the Member in charge of the Department of Revenue (Jails) be pleased to state whether it is proposed to authorise the Members of the Legislative Council and other non-official visitors of jails to visit and report about political prisoners every month in their respective districts, and will the Government circulate copies of such reports among all the Members of the Bengal Legislative Council?

MEMBER in charge of DEPARTMENT of REVENUE [JAILS] (the Hon'ble Sir Hugh Stephenson): Government do not propose to authorise such visits. Special visitors have been appointed for those persons who are detained under Regulation III of 1818 and Ordinance I of 1924.

Babu BORODA PROSAD DEY: Are Government prepared to give the names and designations to the Council of these special visitors?

The Hon'ble Sir HUGH STEPHENSON: Special visitors have been appointed for each jail. I should be delighted to give the member the names, if he applies personally, but Government do not propose to publish them.

Mr. J. M. SEN GUPTA: Is there any member of this Council amongst those special visitors?

The Hon'ble Sir HUGH STEPHENSON: I cannot say off-hand.

Dankuni Canal.

***XVI. Babu BORODA PROSAD DEY:** (*a*) Will the Hon'ble the Member in charge of the Irrigation Department be pleased to state—

(*i*) what amount was realized from the owners of land as the capitalized value of repair expenses in respect of the Dankuni Canal in the Hooghly District;

(*ii*) how the amount was invested; and

(*iii*) what amounts were expended during each of the last ten years for the repair of the said canal?

(*b*) Is the Hon'ble the Member aware that the Dankuni Canal needs a thorough overhauling?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur: (*a*) (*i*) Rs. 65,249.

(*ii*) The amount was credited to Government to be utilised for the purpose of maintaining the canal.

(*iii*) A statement is laid on the table.

(*b*) A thorough silt clearance of the canal is necessary and it is proposed to take the work up shortly.

Statement referred to in the reply to clause (a) (iii) of starred question No. XVI, showing the expenditure on Dankuni Drainage Works for the last 10 years.

Year.	Amount.
	Rs.
1914-15	... 1,246
1915-16	... 5,815
1916-17	... 4,414
1917-18	... 1,744
1918-19	... 1,558
1919-20	... 5,392
1920-21	... 3,396
1921-22	... 1,189
1922-23	... 522
1923-24	... 2,984

Babu BORODA PROSAD DEY: With regard to (*a*) (*ii*), how is the money invested? Is it lying idle with the Government or invested to produce some interest?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur: It is in the Government revenue.

Proceedings of the Bengal Legislative Council.

***XVII. Babu BORODA PROSAD DEY:** (*a*) Will the Hon'ble the Member in charge of the Legislative Department be pleased to state the reason for the delay in printing the Proceedings of the Legislative Council and supplying them to the members of the Bengal Legislative Council?

(*b*) Will the Hon'ble the Member be pleased to state whether arrangements can be made for the printing of the Proceedings and their circulation to members within two or three days from each day's meeting?

(*c*) Are the Government considering the desirability of selling these Proceedings at their cost price to the public by placing them at all railway book-stalls and such other public places?

MEMBER in charge of LEGISLATIVE DEPARTMENT (the Hon'ble Sir Abd-ur-Rahim): (*a*) The delay in the printing of Council Proceedings was due to various causes, of which the main causes are the time taken by members to return the proofs of their speeches after correction and by the Secretariat Press with their present equipment in supplying proofs and printed copies of the Proceedings.

(*b*) No; but special efforts have been made for some time past to issue the Council Proceedings with as little delay as possible.

(*c*) Government do not desire to make any profit on the sale of Proceedings. It rests with the owners of the railway book-stalls to stock these Proceedings if there is any prospect of their sale to the public.

District Judges.

***XVIII. Babu BORODA PROSAD DEY:** (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to state how many members of the Indian Civil Service of less than ten years' standing are at present employed as District and Additional District Judges?

(*b*) Does the Judicial Department of Government keep any information or note as to how these officers discharge their judicial duties involving the hearing of complicated appeals, even from the decisions of experienced Subordinate Judges?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) Six.

(*b*) No. It is the High Court which appraises the value of the work of District Judges.

Babu BORODA PROSAD DEY: Will the Government ask the High Court to send any notes they have got with regard to these officers for presentation to this Council ?

The Hon'ble Sir ABD-UR-RAHIM: I want notice of that question.

Dafadars and Chaukidars of Union Boards.

***XIX. Babu TARAKNATH MUKERJEA:** (*a*) Will the Hon'ble the Member in charge of the Department of Police be pleased to state what steps have been taken to contribute towards the salaries and equipments of the dafadars and chaukidars of Union Boards as provided under Section 37 of the Bengal Village Self-Government Act, 1919 (Bengal Act V of 1919)?

(*b*) Is it a fact that almost all the money realised by most of the Union Boards is spent to meet the salaries and equipments of dafadars and chaukidars?

The Hon'ble Sir HUGH STEPHENSON: (*a*) Attention is invited to the answer given by my predecessor to a similar question at a meeting of the Council on the 29th of August, 1921, a copy of which is appended. The policy of Government as stated in that answer remains unchanged.

(*b*) So much of the Union Board rate as is raised under Section 37 (*a*) of the Bengal Village Self-Government Act, 1919, is necessarily spent on the salaries and equipment of dafadars and chaukidars (in addition to the salaries of the establishment of the Union Board). Expenditure on other objects by Union Boards is not, however, inconsiderable, amounting, as it did, to Rs. 6,57,586 in the year 1923-24 as against Rs. 15,13,797 spent on establishment including dafadars and chaukidars in the same year. These funds for other expenditure are derived partly from the rate levied under Section 37 (*b*) of the Act and partly from pounds and ferries, contributions from District Boards and private individuals, miscellaneous receipts, etc. The amount of the rate levied under Section 37 (*b*) of the Act depends on the willingness of the Union Board to incur expenditure on other objects besides the chaukidars.

Reply given by the Hon'ble (now His Excellency) Sir Henry Wheeler to unstarred question No. 6 put by Nawabzada K. M. Afzal, Khan Bahadur, on the 29th August, 1921, referred to in the reply to clause (a) of starred question No. XIX.

"The member is referred to the discussion on the Bengal Village Self-Government Bill, 1919, at pages 750—752 and 803—806 of the

Bengal Legislative Council Proceedings, Volume LI, 1919. It was not contemplated by Section 37 (*a*) of the Act that Government should be under an obligation to contribute towards the cost of dafadars and chaukidars. The principle that Government should contribute generally was not accepted. The reference in the section to 'the contribution, if any, made by the local Government' was inserted in view of the practice in force in one district under which, as an experimental measure, Government has contributed to the pay of dafadars."

Dankuni Canal.

*XX. **Babu TARAKNATH MUKERJEA:** (*a*) Will the Hon'ble the Member in charge of the Department of Irrigation be pleased to state what steps are in contemplation of the Government to re-excavate the Dankuni Khal (from Baidyabati to Bally) in the District of Hooghly?

(*b*) Is the Hon'ble the Member aware that the khal has practically silted up and that crops are much damaged ever year for want of proper flow of water?

(*c*) Is it a fact that a large sum of money was realised from the zemindars of those places for the future maintenance of the khal?

(*d*) If so, will the Hon'ble the Member be pleased to state how that money has been utilised?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur: (*a*) The question of silt clearing the Dankuni Khal from Baidyabati to Bally is under consideration and the work will shortly be taken up.

(*b*) The khal has silted to some extent. No complaints have been received of damage to crops.

(*c*) The sum realized from the zemindars for maintenance of the Dankuni works was Rs. 65,249.

(*d*) The amount was credited to Government and is utilised for the purpose of maintaining these works.

Travelling charges of Hon'ble Ministers.

*XXI. **Babu TARAKNATH MUKERJEA:** Will the Hon'ble the Member in charge of the Department of Finance be pleased to state how much money was drawn by each Hon'ble Minister from January to August, 1924, as travelling and other allowances?

MEMBER in charge of DEPARTMENT of FINANCE (the Hon'ble Mr. J. Donald): The Statement below shows the amount incurred as

travelling charges on account of the tours of the Hon'ble Ministers from January to August, 1924:—

	Rs.	A.	P.
Hon'ble Minister in charge of Medical and Education Departments ...	4,509	1	0
Hon'ble Minister in charge of Public Works, Local Self-Government and Agricultural and Industries Departments ...	899	11	6

Officiating munsifs.

***XXII. Maulvi ABDUL QUADER:** (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to state—

(*i*) the number of officiating munsifs who have put in more than four years of actual service;

(*ii*) whether it is a fact that these munsifs are still liable to be thrown out of employment during Puja vacations and also on other occasions;

(*iii*) the reasons as to why these officiating munsifs have not yet been confirmed; and

(*iv*) whether it is a fact that the new scheme of time-scale pay was introduced with effect from December, 1919?

(*b*) If the answer to (*a*) (*iv*) is in the affirmative, will the Hon'ble the Member be pleased to state why these officiating munsifs have not got the benefit of the time-scale?

(*c*) Will the Hon'ble the Member be pleased to state—

(*i*) the time when the Government are going to introduce the Probationary Scheme in respect of the Provincial Judicial Service; and

(*ii*) the reasons why this scheme has not been introduced so long?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) (*i*) Fourteen.

(*ii*) Yes.

(*iii*) For want of permanent vacancies.

(*iv*) Yes.

(*b*) The benefit of the time-scale of pay is not applicable to officiating appointments.

(*c*) (*i*) No accurate forecast can be made.

(*ii*) The question is awaiting settlement of the question of the rates of pay for future entrants to the Bengal Civil Service (Judicial) which is under consideration.

3 per cent. and 3½ per cent. Government Securities.

XXIII. Babu SATYA KISHORE BANERJEE: (*a*) Is the Hon'ble the Member in charge of the Department of Finance aware that a committee was appointed by the Government of India a few years ago to consider the grievances of the holders of 3 per cent. and 3½ per cent. Government Securities?

(*b*) Did the committee or the Government of India approach the Government of Bengal for its opinion in this matter?

(*c*) If the answer to (*b*) is in the affirmative, what was the reply of the Government of Bengal?

The Hon'ble Mr. J. DONALD: (*a*), (*b*) and (*c*) This Government have no information and have not been consulted in the matter.

Transfer of Mr. Abdul Mumin, District Magistrate, Nadia.

***XXIV. Mr. M. DAUD:** (*a*) Will the Hon'ble the Member in charge of the Appointment Department be pleased to state whether it is a fact that the Hon'ble the Maharaja Bahadur of Nadia and the Hon'ble Mr. J. Donald were approached by any one for the transfer of Mr. Abdul Mumin, District Magistrate, Nadia?

(*b*) If so, will the Hon'ble the Member be pleased to state the names of the persons who approached each of them?

(*c*) Is it a fact that the persons who approached the Hon'ble Members urged the transfer of Mr. Abdul Mumin on the ground of his having pro-Muhammadan views?

(*d*) Is the Hon'ble the Member aware that the feelings of the Muhammadan community may be wounded if a Muhammadan officer is transferred on the ground of his having pro-Muhammadan views?

(*e*) Was any action being taken or contemplated by the Government for the transfer of Mr. Abdul Mumin from the District of Nadia for his pro-Muhammadan views?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Sir Hugh St[illegible]): (*a*) When I was absent on leave representations were made to the Hon'ble Mr. Donald who was then in charge of the Appointment Department. Any representations that may have been made to the Hon'ble the Maharaja Bahadur could only have been made to him in his private capacity and are therefore outside the concern of my department.

(*b*) I am not prepared to state the names.

(*c*) The representations were to the effect that he was showing undue partiality.

(*d*) and (*e*) Government do not transfer their officers on private representations unless a strong case is substantiated. Government look only to the work of their officers and the public interests in making transfers. Before these representations were made it was decided that Mr. Mumin should officiate as Director of Land Records in April, 1925, and that decision still stands.

Use of electric fans in Court rooms.

***XXV. Babu KHAGENDRA NATH GANGULY:** (*a*) Is the Hon'ble the Member in charge of the Judicial Department aware that the date for the commencement of the use of electric fans is—

(*i*) the fifteenth day of March in the Court rooms of Indian judicial officers both executive and civil, and

(*ii*) the first day of the same month in the Court rooms of European officers?

(*b*) Is it not a fact that a similar distinction is observed at the time of final stoppage of fans on the eve of the cold weather, *viz.*, the fans for Indian officers are stopped a fortnight earlier than those for European officers?

(*c*) If the answers to (*a*) and (*b*) are in the affirmative, will the Hon'ble the Member be pleased to state the reasons for the differential treatment?

(*d*) Are the Government considering the desirability of taking steps to establish uniformity in these arrangements?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) (*i*) and (*ii*) and (*b*) No. (*c*) and (*d*) Do not arise.

Bengal Quarterly Civil List.

***XXVI. Mr. S. N. HALDAR** (*a*) Will the Hon'ble the Member in charge of the Appointment Department be pleased to state the cost incurred in publishing the Quarterly Civil List for Bengal?

(*b*) Is it necessary to publish the said list every quarter?

(*c*) Could not the cost be reduced by having the list published twice a year?

The Hon'ble Sir HUGH STEPHENSON: (*a*) The net cost is approximately Rs. 3,250 per issue.

(*b*) and (*c*) The experiment of a half-year publication has been tried on the grounds of economy but was found to be a failure. The usefulness of the publication was impaired and the saving in cost was negligible owing to the large number of corrections necessitating the resetting of the standing type.

House searches at Dacca on 26th June, 1924.

*XXVII. **Mr. S. N. HALDAR:** Will the Hon'ble the Member in charge of the Police Department be pleased to state—

(i) under what circumstances and in what connection searches were made by the police on the 26th of June last in the houses of Babus Monoranjan Banerjee, Pleader, Narendra Mohan Sen and Pratul Chandra Ganguly at Dacca;

(ii) under what authority, issued by what particular officer, were the searches made;

(iii) the name and rank of each police officer who conducted the search in each of the houses;

(iv) on whose application or information the search warrants, if any, were granted; and

(v) what were the results of the searches?

The Hon'ble Sir HUGH STEPHENSON: (i) The searches were made on warrants issued by the District Magistrate, Dacca, under section 98, Criminal Procedure Code.

(ii) Under search warrants issued by the District Magistrate, Dacca.

(iii) The house of Babu Naren Sen by Mr. Grassby, Assistant Superintendent of Police, and the houses of Babus Pratul Ganguly and Monoranjan Banerjee by Mr. Hansen, Additional Superintendent of Police, Dacca.

(iv) Mr. Hansen, Additional Superintendent of Police.

(v) Nothing suspicious was discovered.

Mr. J. M. SEN GUPTA: Would the Hon'ble Member state who gave the facts on which the application of Mr. Hansen was based for these search warrants in the execution of which nothing suspicious was found?

The Hon'ble Sir HUGH STEPHENSON: I require notice of this question.

House search of Babu Narendra Mohan Sen and Police entry into the house of Babu Kunja Lal Das at Dacca.

*XXVIII. **Mr. S. N. HALDAR:** Will the Hon'ble the Member in charge of the Police Department be pleased to state whether it is not a fact that—

(i) one European officer, with a subordinate officer, entered the zenana in the house of Babu Kunja Lal Das, the brother of Rai Pyari Lal Dass Bahadur, M.L.C., at Dacca without any warning;

(ii) the ladies of the house took fright and cried out;

(iii) the house of the said Babu Kunja Lal Das was searched on that day without any warrant; and

(iv) a similar operation was gone through in respect of the search in the house of Babu Narendra Mohan Sen?

The Hon'ble Sir HUGH STEPHENSON: (i) The house was entered with the permission of the owner thereof. The actual room in which the ladies of the house had congregated was, however, only entered by the Inspector (a high caste Brahmin) in company with Babu Kunja Lal Das.

(ii) No.

(iii) No house search was made; with the consent of the occupier the house was entered in order to ascertain whether a person who had just escaped from the house next door was concealing himself therein.

(iv) No. The house of Babu Narendra Mohan Sen was formally searched under a warrant issued by the District Magistrate, Dacca.

Maulvi MD. NURUL HUQ CHAUDHURY: Does the Government consider that the private apartments of a private gentleman can be entered by a high caste Brahmin?

Mr. PRESIDENT (the Hon'ble Sir Evan Cotton): That question does not arise.

Allegations on the conduct of house searches at Dacca on 26th June, 1924.

***XXIX. Mr. S. N. HALDAR:** (a) Will the Hon'ble the Member in charge of the Police Department be pleased to state—

(i) whether any inquiry has been made into the allegations made by Babu Monoranjan Banerjee to the District Magistrate and the District Superintendent of Police, Dacca, regarding the conduct of the house searches made at Dacca on the 26th June last;

(ii) what action has been taken on the complaint of Monoranjan Babu; and

(iii) what were the results of the action taken?

(b) Are the Government considering the desirability of laying on the table the results of the inquiry, if any, made by the District Magistrate or the District Superintendent of Police?

(c) If no inquiry has been made by the abovementioned officers, will the Hon'ble the Member be pleased to state the reasons for this?

The Hon'ble Sir HUGH STEPHENSON: (*a*) (*i*) An inquiry was made on the spot by the Additional Superintendent of Police, Dacca, to whom the complaint was made.

(*ii*) and (*iii*) No action was taken as the complaint was not substantiated.

(*b*) No inquiry was made by the District Magistrate or District Superintendent of Police.

(*c*) In view of the inquiry held by the Additional Superintendent of Police no further inquiry was considered necessary.

Mr. S. N. HALDAR: May I know from the Hon'ble Member whether any complaint was received by the District Magistrate from Monoranjan Babu?

The Hon'ble Sir HUGH STEPHENSON: Not that I know of.

Mr. S. N. HALDAR: Did the Additional Superintendent of Police submit any written report of the so-called inquiry made?

The Hon'ble Sir HUGH STEPHENSON: I am afraid I cannot answer off-hand; I don't remember.

Unstarred Questions

(answers to which were laid on the table).

Allegations of police oppression at Narikalbaria.

3. **Dr. MOHINI MOHON DAS:** (*a*) Will the Hon'ble the Member in charge of the Police Department be pleased to state whether it is a fact that a sub-deputy collector was deputed to investigate into certain alleged police oppression in Narikalbaria in Gopalganj subdivision of Faridpur district when armed police was stationed there in May last?

(*b*) Is it a fact that the said officer reported that there had been police oppression at that time?

(*c*) Is it a fact that the said officer in his report stated that damage had been done to the paddy barn in the house of Srinath Banik of Narikalbaria?

(*d*) If so, what is the nature of the damage done to the barn and by whom?

(*e*) Will the Hon'ble the Member be pleased to lay on the table a copy of the report of the said sub-deputy collector?

The Hon'ble Sir HUGH STEPHENSON: (*a*) Yes.

(*b*) No. The officer who inquired reported that the allegations against the police were false.

(*c*) No.

(*d*) Does not arise.

(*e*) The report forms part of the judicial proceedings and Government do not propose to lay it on the table of the Council.

Madaripur Bil route.

4. Dr. MOHINI MOHAN DAS: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue be pleased to state whether he is aware that crops on both sides of Madaripur-Haridaspur Bil route have been destroyed this year?

(*b*) If so, what is the cause?

(*c*) Is it a fact that destruction of crops was due to the bund on the south-east side of the canal?

(*d*) How many culverts are there in the bund?

(*e*) Are those culverts sufficient for passage of water?

(*f*) Is it a fact that the culverts are partly closed by wooden slides for stoppage of water?

(*g*) Is it a fact that rush of water becomes greater on account of these slides?

(*h*) Is it a fact that a large number of boats is destroyed in those culverts due to such rush of water?

(*i*) What is the number of boats destroyed in the year 1922 and 1923?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur: (*a*) Yes, the crops on small areas on both sides of the Madaripur Bil route were destroyed in 1924.

(*b*) The cause is due to extraordinary floods emanating from the Ganges in July, August and September which exceeded the previous recorded maximum by one inch.

(*c*) No.

(*d*) There are altogether 13 sluices in the embankment.

(*e*) These sluices are sufficient for the passage of water in normal times.

(*f*) The regulation of the sluices is carried out by wooden boards.

(*g*) No.

(*h*) No.

(*i*) Nil.

Alleged inconvenience of steamer passengers at Madaripur.

5. Dr. MOHINI MOHON DAS: (*a*) Is the Hon'ble the Member in charge of the Marine Department aware that a large number of passengers pass through Madaripur steamer station at night?

(b) Is it a fact that the station is not properly lighted?

(c) If the answer to clause (b) is in the affirmative will the Hon'ble the Member be pleased to move the proper authority to make any arrangement for punch light or any other light for the better lighting of the station?

(d) Is it a fact that the receiving vessel at the station is too small?

(e) Is it a fact that two big two-storied flats named "Dumka" and "Artshell" are stationed at Charmuguria?

(f) Will the Hon'ble the Member be pleased to state whether either of those flats can be conveniently kept at Madaripur as receiving vessel?

(g) If the answer to (f) is in the negative is the Hon'ble the Member considering the desirability of inviting the Joint Steamer Companies to arrange for the convenience of the passengers at Madaripur?

The Hon'ble Mr. J. DONALD: (a) Yes.

(b) Government have been informed that the lighting is insufficient.

(c) The attention of the Steamer Company will be drawn to the matter.

(d) No.

(e) Yes.

(f) No.

(g) The desirability of replacing the open pontoon at the steamer station by a covered one will be brought to the notice of the Steamer Company.

Notices under section 290, I. P. C., on a number of persons in Gopalganj.

6. **Dr. MOHINI MOHON DAS:** (a) Will the Hon'ble the Member in charge of the Judicial Department be pleased to state whether it is a fact that notices under section 290 of Indian Penal Code were served on a large number of persons in Gopalganj subdivision in the district of Faridpur?

(b) How many of those persons were convicted and how many of them were discharged?

(c) What is the nature and amount of punishment given to those who were convicted?

(d) Is it a fact that a large number of these men were discharged on payment of contribution towards the reception fund organised in connection with His Excellency the Governor of Bengal's visit?

(e) Will the Hon'ble the Member be pleased to state the number of persons who were so discharged?

The Hon'ble Sir ABD-UR-RAHIM: (a) Yes.

(b) None of them were prosecuted.

(c) Does not arise.

(*d*) No.

(*e*) Does not arise.

Road-cess collected in Faridpur.

7. **Dr. MOHINI MOHON DAS:** Will the Hon'ble the Member in charge of the Department of Revenue be pleased to state—

(*i*) the amount of road-cess collected in the year 1921 to 1924 in the district of Faridpur; and

(*ii*) the amount of the same spent in each of the subdivisions of the district?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur: (*i*) The amount of road-cess collected in three years was as follows:—

1921-22—Rs. 1,16,870.

1922-23—Rs. 1,08,395.

1923-24—Rs. 1,17,754.

(*ii*) The information is not available as separate accounts are not kept for each subdivision.

Town police stations, Dacca.

8. **Dr. MOHINI MOHON DAS:** (*a*) Is the Hon'ble the Member in charge of the Police Department aware that there were three town police stations in the town of Dacca?

(*b*) Is it a fact that one of them has been abolished?

(*c*) Is it a fact that the Police Station which has been abolished was located in that part of the town where the number of offences committed was usually greatest?

(*d*) Is it a fact that crime in the town has increased as a consequence of that abolition?

(*e*) Is the Hon'ble the Member aware that people are now experiencing difficulties in lodging information of crime as the remaining police stations are located at the two ends of the town?

(*f*) Are the Government considering the desirability of removing any one of the present police stations to the centre of the town where a police station existed before?

The Hon'ble Sir HUGH STEPHENSON: (*a*), (*b*) and (*c*) Yes.

(*d*) Crime in the town increased slightly last year but this cannot be attributed to the abolition of Kotwali police station.

(*e*) A sub-inspector is daily deputed from 7 A.M. to 11 A.M. and again from 4 P.M. to 8 P.M. from Sutrapur police station to Baburbazar section house, which is situated in the heart of the town, to record first information reports. Moreover, the police stations are connected with all section houses in the town by telephone and there should not be any difficulty in reporting cases.

(*f*) This measure has effected a saving of over Rs. 1,700 per annum. As in most of these cases such savings can only be secured by a slight curtailment of facilities previously existing for the local public, but the disadvantage in this case is so slight that Government see no reason to go back on this retrenchment.

Honorary Magistrates of Gopalganj (Faridpur).

9. **Dr. MOHINI MOHON DAS:** (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to state how many Honorary Magistrates are there in the Gopalganj Subdivision?

(*b*) What are the names of the present Magistrates?

(*c*) How many days each of the Honorary Magistrates of Gopalganj Subdivision worked on the Bench in 1923?

(*d*) How many cases each of them disposed of in *1923 and 1924 up to March*?

(*e*) What is the amount of the travelling and halting allowances drawn by each of them *in 1923 and 1924 up to March*?

The Hon'ble Sir ABD-UR-RAHIM: A statement is laid on the table.

Statement referred to in the reply to unstarred question No. 9.

No. and names of Honorary Magistrates.	Number of working days during the year 1923.	Number of cases disposed of in		Amount of T. A. and halting drawn in	
		1923.	1924 up to March.	1923.	1924 up to March.
				Rs. A.	Rs. A.
1. Babu Chandra Bilash Mukherjee, single sitting. Second Class Honorary Magistrate	50	46	11	724 0	141 8
2. Maulvi Abdul Hasib Choudhury *	24	10	....	336 8	....
3. Babu Rama Prasad Roy Choudhury.*	46	12	....	187 0	....
4. Maulvi Abdul Kader ..	42	10	6	....	....
5. Babu Deb Kumar Roy Choudhury.	19				
6. Babu Narendra Nath Das Gupta.	12	4	1	....	....
7. Babu Girish Chandra De	13				

N.B.—There are at present 4 Benches with 5 Honorary Magistrates. No. 1 sits singly. Nos. 2 and 3 do not sit. Nos. 4 and 5 sit jointly and Nos. 6 and 7 sit jointly also.

* These two Honorary Magistrates have ceased to sit.

Copyists and typists of courts.

10. Maulvi ABDUL CAFUR: (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to state whether it is a fact that the Hon'ble the High Court and the Government of Bengal issued General Letter No. 8, dated the 23rd June, 1921, with a view to increase the remuneration of the typists and copyists of Civil, Criminal and Revenue Courts, etc., in Bengal?

(*b*) Is the Hon'ble the Member aware that the post of a typist in the District Judge's Court at Pabna fell vacant at the dismissal of Babu Jogeswar Chakraverty and that post has been filled up by appointing a man named Kotiswar Pal and that new man named Surendra Nath Chakraverty and Birendra Nath Das Gupta have been appointed copyists, respectively, at Sirajganj and at Bogra?

(*c*) If so, do the Government intend to give effect to the said General Letter?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) The General Letter No. 8, dated the 23rd June, 1921, was issued by the High Court, Calcutta.

(*b*) Yes.

(*c*) Yes. The new appointments were made for the purpose of strengthening the existing staff whose standard of efficiency in the opinion of the District Judge, Pabna and Bogra, was low.

Boyernala canal in Sonarpur (24-Parganas).

11. Babu HEM CHANDRA NASKER: (*a*) Is the Hon'ble the Member in charge of the Department of Irrigation aware that a number of pins has been affixed in various places in *mauzas* Geotolla and Kheudah by the side of the canal Boyernala under police station Sonarpur, 24-Parganas?

(*b*) Is it a fact that a new canal is being cut through those areas?

(*c*) If so, will the Hon'ble the Member be pleased to state—

(*i*) the reasons for opening this canal;

(*ii*) the places through which the canal will run; and

(*iii*) the width of the new canal?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur: (*a*) The pins preferred to appear to have been fixed by the surveyors of the Calcutta Corporation during the course of a survey of the Bidyadhari river.

(*b*) No.

(*c*) The questions do not arise.

Mileage and daily allowances drawn by Members of Bengal Legislative Council.

12. Babu HEM CHANDRA NASKER: Will the Hon'ble the Member in charge of the Legislative Department be pleased to lay on the table a statement showing—

(*i*) the amount of travelling expenses drawn by each member of the present Bengal Legislative Council;

(*ii*) the amount of residential allowances drawn by each member; and

(*iii*) the headquarters from which the travelling expenses have been charged?

The Hon'ble Sir ABD-UR-RAHIM: A statement is laid on the table.

Statement referred to in the reply to unstarred question No. 12 showing the amount of mileage and daily allowances drawn by each member of the present Bengal Legislative Council from January to December, 1924, and the place of residence from which such mileage allowances have been drawn.

Names of members.	Amount of mileage allowance drawn.			Amount of daily allowance drawn	Headquarters from which mileage allowance is charged.
	Rs.	A.	P.	Rs.	
Ahamad, Maulvi Asimuddin	761	5	0	430	Chandpur.
Ahmed, Maulvi Tayebuddin	470	14	0	740	Mymensingh.
Ali, Maulvi Sayyed Sultan	363	8	0	340	Bagerhat.
Ali, Mr. Altaf	591	9	0	250	Bogra.
Bagchi, Babu Romes Chandra	552	13	0	430	Nawabganj.
Baksh, Maulvi Kader, B.L.	691	4	0	100	Dinajpur.
Banerjee, Babu Satya Kishore ..	45	0	0	....	Chandernagar.
Barma, Rai Sahib Panchanan, M.B.E. ..	714	6	0	200	Rangpur.
Chakravarti, Babu Jogindra Chandra ..	705	4	0	310	Barabandar.
Chakravorty, Babu Sudarsan	606	14	0	370	Ghoramara.
Chatterjee, Babu Umes Chandra ..	49	10	0	410	Vishnupur.
Chaudhuri, Maulvi Saiyed Abdur Rob ..	479	0	0	420	Gopalpur.
Chaudhury, Maulvi Md. Nurul Huq ..	105	10	0	710	Kattali.
Choinuddin, Khan Bahadur Maulvi Md. ..	481	12	0	410	Natore.
Chowdhury, Maulvi Fazlal Karim ..	647	14	0	450	Ulania.
Corcoran, Mr. B. J.	585	4	0	40	Chittagong.
Das, Dr. Mohini Mohon	722	9	0	420	Dacca.
Datta, Babu Akhil Chandra	541	6	0	350	Comilla.
Dey, Babu Boroda Prosad	289	1	0	....	Serampore.
Dess, Rai Bahadur Pyari Lal, M.B.E. ..	719	14	0	260	Dacca.
Faroqui, Khan Bahadur, K.G.M. ..	496	4	0	330	Comilla.
Gafur, Maulvi Abdul, B.L.	373	12	0	410	Pabna.
Haq, Khan Bahadur Kazi Zahirul ..	728	8	0	430	Dacca.
Haq, Shah Syed Emdadul	429	11	0	350	Bhankshar.
Hoque, Maulvi Sayedul	946	7	0	420	Batya.
Hossain, Khan Bahadur Maulvi Musharruf	484	2	0	400	Jalpaiguri.

Names of members.	Amount of mileage allowance drawn.			Amount of daily allowance drawn.	Headquarters from which mileage allowance is charged.
	Rs.	A.	P.	Rs.	
Huq, Maulvi Ekramul	211	7	0	740	Gorabazar.
Joardar, Maulvi Aftab Hossain ..	153	8	0	730	Chuadanga.
Khan, Babu Debendra Lal	80	0	0	280	Midnapore.
Khan, Maulvi Abdur Raschid	493	13	0	740	Noakhali.
Khan, Maulvi Amanat, B.A.	800	8	0	310	Pathantooly.
Khan, Maulvi Mahi Uddin	731	11	0	370	Pearapur.
Lal Mahammed, Haji	621	0	0	420	Rajshahi.
Mahammad, Maulvi Bazar	791	15	0	400	Nawabganj.
Maity, Babu Mahendra Nath	99	14	0	370	Tamluk.
Mitra, Babu Jogendra Nath	175	13	0	250	Jessore.
Mitra, Babu Satyendra Chandra ..	433	8	0	740	Noakhali.
Nandy, Maharaj Kumar Sris Chandra ..	357	14	0	350	Cossimbazar.
Nazimuddin, Khaje, M.A. (Cantab.) ..	727	3	0	230	Dacca.
Neogi, Babu Manmohon	361	12	0	540	Mymensingh.
Pahlowan, Maulvi Md. Abdul Jubbar ..	592	12	0	320	Chinaduli.
Quader, Maulvi Abdul	46	6	0	740	Jessore.
Rahman, Mr. A. F.	707	3	0	190	Dacca.
Raikat, Mr. Prasanna Deb	392	2	0	390	Jalpaiguri.
Ray, Babu Abinash Chandra	172	11	0	690	Suri.
Ray, Babu Anilbaran	48	10	0	670	Bankura.
Ray, Babu Nagendra Narayan ..	714	6	0	400	Rangpur.
Ray, Kumar Shib Shekhareswar ..	111	1	0	710	Tahirpur.
Ray Chaudhuri, Mr. K. C.	443	6	0	....	Chandernagar.
Roy, Babu Satcowripati	90	10	0	360	Jara.
Roy, Mr. S. N.	51	8	0	20	Hooghly.
Roy, Raja Maniloll Singh, C.I.E. ..	107	8	0	240	Chakdighi.
Roy Chaudhuri, Babu Sailaja Nath ..	70	0	0	180	Satkhira.
Roy Chaudhuri, Rai Bahadur Satyendra Nath.	506	12	0	380	Pirojpur.
Roy Chaudhury, Babu Brajendra Kishore ..	348	7	0	20	Gouripur.
Salam, Khan Bahadur Maulvi Abdus ..	59	3	0	10	Shergaon.
Sarkar, Babu Hemanta Kumar ..	25	14	0	700	Krishnagar.
Sarkar, Maulvi Allah Bukhsh	725	3	0	430	Dacca.
Tarafdar, Maulvi Rajib Uddin ..	676	1	0	430	Narchi.
Travers, Mr. W. L., C.I.E., O.B.E. ..	929	14	0	380	Baradighi.
Yasin, Maulvi Muhammad	105	5	0	300	Burdwan.

Calcutta Port Trust.

13. Babu AMULYA DHONE ADDY: Will the Hon'ble the Member in charge of the Department of Marine be pleased to state what steps, if any, are proposed to be taken to increase the number of Indian members of the Calcutta Port Trust for the adequate representation of Indian trade, commerce and industry?

The Hon'ble Mr. J. DONALD: The whole question of the future administration of ports and shipping is at present under the consideration of the Government of India.

Meston Award.

14. Babu AMULYA DHONE ADDY: Will the Hon'ble the Member in charge of the Finance Department be pleased to state what steps

have been taken for the exemption of the Government of Bengal from the annual payment of Rs. 63 lakhs as contribution to the Government of India from the next official year?

The Hon'ble Mr. J. DONALD: The local Government has addressed the Government of India with a view to securing the final remission of this contribution.

Bengal Quarterly Civil List.

15. Babu BORODA PROSAD DEY: (*a*) Will the Hon'ble the Member in charge of the Appointment Department be pleased to state the cost of printing and publishing the Quarterly Civil List for Bengal?

(*b*) How many copies are printed?

(*c*) How many copies are sold?

(*d*) What is the amount realized by the sale of the same?

The Hon'ble Sir HUGH STEPHENSON: (*a*) This varies but is approximately Rs. 3,250 per issue.

(*b*) About 1,000.

(*c*) About 80.

(*d*) About Rs. 240. The sale price will be raised annas eight per copy from the January issue of 1925, and the supply of free copies to officers under the Government of India and the Government of Provinces will be discontinued from the close of the current financial year.

Babu BORODA PROSAD DEY: One thousand copies are printed and about 80 are sold, and after the prices have been raised perhaps there will be smaller sales. What does Government propose to do with the remaining copies, that is 920 copies of each issue?

The Hon'ble Sir HUGH STEPHENSON: The remaining copies are distributed among our own officers.

[illegible]on of officers.

16. Babu KHAGENDRA NATH GANGULY: (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to lay on the table a statement showing—

(*i*) the number of officers of the executive and judicial branches of the provincial service who have been superseded during the last three years;

(*ii*) the names of the officers and their position in the gradation list:

(*iii*) the reasons in brief for supersession in each case; and

(*iv*) whether each individual officer was given the opportunity of submitting his explanation before order of supersession was passed?

(*b*) If the answer to (*a*) (*iv*) is in the negative, will the Hon'ble the Member be pleased to state the reasons for this?

(*c*) Are the Government considering the desirability of issuing instructions to all heads of departments that in every case of intended supersession, the charge should previously be communicated (confidentially if need be) to the officer concerned and final orders passed after considering the explanation in each case?

The Hon'ble Sir ABD-UR-RAHIM: (*a*), (*b*) and (*c*) It is not in the public interest to reply to the question.

Bengal Moslem Conference and Hon'ble Sir Abd-ur-Rahim.

17. Babu MANMOHON NEOGI: Will the Hon'ble the Member in charge of the Appointment Department be pleased to state whether it is a fact that the Hon'ble Sir Abd-ur-Rahim attended the Bengal Moslem Conference held on the 29th December in Theatre Road, Calcutta, and took part in it?

The Hon'ble Sir HUGH STEPHENSON: The question relates to the private conduct of the gentleman in question, of which I have no official cognisance.

Rejection of Ministers' salaries and allegation of its connection with arrests on 25th October, 1924.

18. Babu ANILBARAN RAY: Will the Hon'ble the Member in charge of the Political Department be pleased to state—

(*i*) whether it is a fact that the warrants of at least some of the persons arrested on the 25th October, 1924, under Regulation III of 1818 were signed on the 27th August, 1924, the day after the rejection of Ministers' salaries by the Bengal Legislative Council; and

(*ii*) whether it is a fact that the rejection of the Ministers' salaries by the Bengal Legislative Council on the 26th August, 1924, was one of the causes which moved the Bengal Government to press the Government of India for sanction to the arrests under Regulation III of 1818 and to the promulgation of the Ordinance?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Sir Hugh Stephenson): (*i*) Yes.

(*ii*) No.

Maulvi MO. NURUL HUQ CHAUDHURY: The Hon'ble Member says that warrants under Regulation III of 1818 were signed on the 27th August, 1924, and some of the people were arrested on the 25th October, 1924. Will the Government please state the reason of the delay?

The Hon'ble Sir HUGH STEPHENSON: The warrants were received by Government but Government did not wish to utilise them until the question of the Ordinance was settled; the delay was to enable all the arrests to be made together.

Arrests under Regulation III on 25th October, 1924.

19. Babu ANILBARAN RAY: (*a*) Will the Hon'ble the Member in charge of the Political Department be pleased to state whether some of the persons arrested under Regulation III of 1818 on the 25th October, 1924, were arrested for their whirlwind campaign of anti-Government speeches and not for taking part in any terrorist conspiracy?

(*b*) If so, will the Hon'ble the Member be pleased to give the names of the persons so arrested?

The Hon'ble Sir HUGH STEPHENSON: (*a*) No.

(*b*) The question does not arise.

Arrest of Chief Executive Officer of the Calcutta Corporation.

20. Babu ANILBARAN RAY: Will the Hon'ble the Member in charge of the Political Department be pleased to state whether it is not a fact that the Chief Executive Officer of the Calcutta Corporation has been arrested at the instigation of the Calcutta Police with the authorities of which he came into conflict on more occasions than one in defence of the rights of the Calcutta public and of the Calcutta Corporation?

The Hon'ble Sir HUGH STEPHENSON: No, it is not a fact.

Permission to State prisoners to write letters.

21. Babu ANILBARAN RAY: (*a*) Is the Hon'ble the Member in charge of the Political Department aware—

(*i*) that the permission given to State prisoners to write only two letters a week is inadequate; and

(*ii*) that even this privilege is often restricted by the censoring officers?

(*b*) Are the Government considering the desirability of taking any steps in this matter?

The Hon'ble Sir HUGH STEPHENSON: (*a*) (*i*) The permission is considered adequate by Government.

(*ii*) Letters written under this permission may be withheld by the censoring officers. Government are not aware that they have in any case abused their discretion.

(*b*) No.

Détenus in Bankura Jail.

22. **Babu ANILBARAN RAY:** (*a*) Is the Hon'ble the Member in charge of the Political Department aware that the State prisoners in the Bankura Jail have been suffering from grievances for which they went on strike some time ago?

(*b*) Are the Government considering the desirability of inquiring into the matter and of taking steps for their remedy?

The Hon'ble Sir HUGH STEPHENSON: (*a*) The détenus in Bankura Jail went on strike in connection with an incident, which Government have enquired into. They abandoned the strike after an interview with the District Magistrate.

(*b*) The incident is closed, and no further inquiry is necessary.

Question of the appointment of Ministers.

Mr. J. M. SEN GUPTA: On a point of order, Sir, I should like to ask one thing. Will the Hon'ble Sir Abd-ur-Rahim remove the doubts of many members of this House by reason of an incorrect report in the newspapers this morning, and state whether the demand for Ministers' salaries will be brought before this House before or after the appointment of the Ministers?

The Hon'ble Sir ABD-UR-RAHIM: I think I stated yesterday quite clearly that the Ministers will be appointed before voting on the the demand for Ministers' salaries takes place.

Government Bills.

The Bengal Tenancy (Amendment) Bill, 1925.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur: I beg to introduce a Bill further to amend the Bengal Tenancy Act, 1885.

The Secretary to the Council then read the title of the Bill.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur: I beg to move that the Bill be taken into consideration. In moving this motion I must say that the proposal affects but one single section, *viz.*, section 20 of the Bengal Tenancy Act. I need not repeat what has already been stated in the Statement of Objects and Reasons. It is not intended to introduce any new principle, but the object is to remove a technical difficulty in the application in the Sundurbans areas of the law relating to settled raiyats by reason of a flaw which has been brought to light in a recent decision of the Calcutta High Court. Under section 20 (*1*) of the Bengal Tenancy Act every person who has, for a period of 12 years continuously, held as a raiyat, land situate in any village is a settled raiyat of that village. This is only a recital of the ancient and time-honoured definition of *khundkust* raiyat, and its application was never dependant on any executive order defining the limit of a *gram* or *mauza*, much less on the mere accident of the date of such an order. That was not the intention of the framers of the Act of 1885 either. But, as it now appears that the wording of the section is liable to such interpretation, the amendment proposed in the present Bill has become necessary.

There need be no apprehension that the conditions of any lease granted *bona fide* for the reclamation of waste land will be affected or that the interest of the landlord who has reclaimed the waste lands in these villages at his own cost will be in any way jeopardised. Such interests are fully protected by provisos (*i*) and (*ii*) to section 178 (*3*) of the Act. The proposed amendment of section 20 will not affect the terms of any contract whereby a raiyat is prevented from acquiring an occupancy right in such lands during a period of 30 years.

The measure is an urgent one. The settlement records in the Sundurbans villages in Khulna district have reached the final stages and are ready for printing. These will form a permanent record of the rights of the landlords and tenants concerned, and it is a matter of very great importance that they should embody correct status of the settled raiyats. Any further delay will mean that hundreds of raiyats who have held their lands for over 12 years—in many cases for generations—will be denied their just rights and deprived of the advantage of having their correct status shown in the record of rights. The Director of Land Records in his annual report for the year 1923-24 says with regard to the rights of raiyats in Khulna Sundurbans:—

A more important question was the status of cultivators under the lease-holders. Under a recent High Court ruling no one can become a settled raiyat of a village until the village has had a legal existence as defined in section 3 (*10*), Bengal Tenancy Act, for 12 years. Large portions of the Sundurbans now under cultivation were jungle at the time of the revenue survey and were not included in that survey. Notifications constituting villages in these areas were issued in 1914 and 1916, but they do not cover the whole area and in any case the records will have been finally published before the expiry of 12 years from the date of the notifications. In these circumstances it seemed that settled rights would have to be denied to a large body of cultivators. Fortunately, many of the landlords raised no objection to their tenants being recorded as settled

raiyats, but it is proposed to set the matter at rest by legislation to provide that the period of 12 years may run partly before and partly after the notification of the area as a village.

To me personally, as a zamindar, it is indeed gratifying to find that the landlords have fully realised the justice and equity of allowing the raiyats being recorded as settled raiyats in spite of the legal flaw being there and that shows the good relationship which exists between the landlord and the tenant in these areas. I congratulate these landlords in showing such a liberal spirit.

I hope I have made it sufficiently clear why this piece of legislation is so urgently necessary and I trust this will have the unanimous support of the Council.

Maulvi WAHED HOSSAIN: So far as this clause is concerned the wording is that a person shall be deemed, for the purpose of this section, to have continuously held land in a village, notwithstanding that such village was defined, surveyed and recorded as, or declared to constitute a village at a date subsequent to the commencement of the said period of 12 years.

I take it that the intention of the legislature here is to give effect to those cases in which the raiyats have been holding lands for more than 12 years. There is nothing either in the preamble or in the body of the section from which it can be gathered that retrospective effect can be given to this clause. I am simply pointing out this difficulty. It is a well-known principle of construction of the Statutes that when the law is substantive, retrospective effect should not be given, but in the case of an adjective law, retrospective effect may be given. Here the section is a substantive law. I doubt very much whether in the absence of any clause which gives retrospective effect, the Court would take any notice of it.

I can give instances where the High Court gave a ruling. When the Wakf Validating Act was introduced, the intention was that it would be applicable to all wakfs created previously to the passing of the Act, but there was nothing in the preamble or in the body of the Act to show that it would have retrospective effect. The Bombay High Court the Calcutta High Court, as well as the Privy Council held that this Act could not have any retrospective effect. I apprehend that if it is allowed to stand as it is, it may be construed to have no retrospective effect. I may suggest that if a clause is added that the Act shall have retrospective effect in its application, the difficulty will be avoided. I make this suggestion to the Hon'ble Member that it will be a wiser policy to clear up all doubts having regard to the intention of the legislature to grant a right to the raiyat. If such a saving clause be added, I think there will be no difficulty in construing the Act properly

and a provision like this will save further trouble and much litigation. What I am apprehending is this, since this clause is to be put before a court for construction there must be this difficulty in spite of the fact that this amendment has been brought forward by Government with the best intention but the question is whether in construing a Statute retrospective effect should be given. I, therefore, submit that some clause should be added in order to make it clear and to give retrospective effect to the provision of the law.

The motion of the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur was then put and agreed to.

CLAUSE 1.

Mr. PRESIDENT : The question is that clause 1 stand part of the Bill.

The motion was put and agreed to.

CLAUSE 2.

The following motions were called but not moved :—

Rai SATYENDRA NATH ROY CHOUDHURI Bahadur to move that in clause 2 to the proposed sub-section (*1A*) in section 20, the following be added, namely :—

"Provided that this shall not in any way affect any contract entered into *bona fide* between the landlord and tenant for the purpose of reclamation or in the land reclaimed by the landlord."

Babu MANMATHA NATH ROY to move that in clause 2 to the proposed sub-section (*1A*) in section 20, the following be added, namely :—

"Provided that, during a period of 12 years from such definition, survey, record or declaration, the acquisition of a right of occupancy under section 21 shall be limited to the land held for a period of 12 years."

Mr. PRESIDENT : The question is that clause 2 stand part of the Bill.

The motion was put and agreed to.

Mr. PRESIDENT: The question is that the preamble stand part of the Bill.

The motion was put and agreed to.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur: I beg to move that the Bill as introduced in the Council be passed. In doing this I would only say, in passing, to Maulvi Wahed Hossain that we do not want to introduce the question of retrospective effect because this Act will be given effect to from the date from which it is passed and we do not want to go further than that.

The motion was put and agreed to.

The President's Salary Bill, 1925.

The Hon'ble Sir ABD-UR-RAHIM: I beg to introduce a Bill to determine the salary of the elected President of the Bengal Legislative Council.

The Secretary to the Council then read the title of the Bill.

The Hon'ble Sir ABD-UR-RAHIM: I beg to move that this Bill be taken into consideration. The Bill is a very short one and I hope it will not raise any controversy. The term of the present President will terminate at the end of the current session, and the Government of India Act provides that the President shall be elected from among the members of this Council. It is necessary therefore that provision should be made for the elected President's salary and it is for that purpose that I have introduced the Bill. Government have provided a salary of Rs. 3,000 a month on the understanding and thinking it necessary that the President of the Council should be a whole-time officer. I may state for the information of the Council that the Presidents in the other Presidencies and provinces are all whole-time officers and wherever there has been legislation already as regards the elected President, provision has been made on the basis that he shall be a whole-time officer. I do not think that any member of this House will question the propriety and desirability of having a whole-time President. It will hardly be desirable to have a President during a particular time of the year, that is during the session and that he should carry on any other business for the rest of the year. It may be known to many members of the Council that the President has not only heavy work to transact during the session but he has also work to do before and after a session.

As regards the question of salary it is very difficult to lay down any particular principle regulating the figure. I should like to mention for the information of the members that there has been legislation in four provinces hitherto on this subject. I am not sure about the fifth, that is our neighbouring province of Bihar and Orissa. But I believe that a

Bill has been introduced there for regulating the salary. In Bombay provision has been made for the salary of Rs. 3,000, so also in the Punjab; in Madras, Rs. 2,000 and in Assam, Rs. 500. Regarding Bihar I believe the select committee has recommended Rs. 2,000 per month or Rs. 24,000 per annum as the salary.

Babu NALINIRANJAN SARKER: What about the United Provinces?

The Hon'ble Sir ABD-UR-RAHIM: In the United Provinces I do not think there has been any legislation yet. I am not quite sure about Bihar and Orissa—either it is Rs. 2,000 or Rs. 2,500. My recollection is that the select committee has recommended Rs. 2,000.

Rai HARENDRANATH CHAUDHURI: What about Madras?

The Hon'ble Sir ABD-UR-RAHIM: In Madras it is Rs. 2,000. Government have decided that in their opinion Rs. 3,000 is the proper figure for the salary of the President of this Council. It is a matter for the decision of the Council and I only make this observation to the members that it is not only the question of economy that has to be considered but also what is the amount appropriate for the salary of the President of this important province. It is a position of great responsibility and dignity. All that I wish to say is that I do not think that Rs. 3,000 per month is too high a figure for a position of that responsibility.

The motion of the Hon'ble Sir Abd-ur-Rahim was then put and agreed to.

Mr. PRESIDENT: The question is that clause 1 stand part of the Bill.

The motion was put and agreed to.

Babu NALINIRANJAN SARKER: I beg to move that for clause 2, the following be substituted, namely:—

> "2. There shall be paid to the President of the Bengal Legislative Council a salary calculated at the rate of two thousand rupees a month."

In rising to move the amendment I congratulate the Hon'ble Law Member on his having at length thought it fit to introduce the President's Salary Bill, long overdue. Parliament gave us the right to elect our President after a certain period. The time was deliberately allowed to be passed, and a situation was contrived for the postponement of the exercise of our right of election by the adjournment of this House at its last sitting. I must not be misunderstood, in pointing this out, to insinuate anything against you, Sir, personally, for whom I have always had the highest regard. What I want to say is that this is merely an

indication of the process by which the so-called progressive realisation of responsible government is sought to be furthered. Now coming to the terms of my amendment—in moving for a lower salary, it is neither my intention to lower the dignity nor the prestige of our future President, not even to indicate that the duties and responsibilities of the position of the President do not deserve a high salary. But what I want to impress upon the Council is that the salaries of officials which we are asked to sanction must be assessed in accordance with Indian ideals and standards as also the financial condition of the province and not according to the extravagant notion fostered and encouraged by those who are responsible for the present system, despite our emphatic protest and strong disapproval. This is our chance to show that our best intellects can be attracted by such salaries as are in accordance with our ideas of what is adequate and proper. The salary which I suggest, will, I venture to think, be adequate for the President to live in comfort as that is understood in this country as also to maintain his position and dignity.

The honour and responsibility attaching to the post of the President of the Bengal Legislative Council are in any case too great to be adequately recognised by any money value alone. The sense of high public duty is its own stimulus as well as its own reward and the President can well afford to be content with a comparatively modest pecuniary compensation.

There is yet another point which I want to place before the House. It is sometimes suggested that our President, like the Speaker of the House of Commons, will have to undergo a certain amount of expenses in performing his social duties towards the members of this Council and for which due consideration should be made in fixing the amount of salary. But, Sir, you will bear me out, when I say, that our past experience in this respect does not encourage this view. It is our misfortune, Sir, that the letters of the rules are thrust upon us in this country and not their spirit. If, however, our elected President should consider such social relations to be a thing worth cultivating we shall then have occasion to provide a suitable additional allowance for the same.

Babu DEBI PROSAD KHAITAN: There is only one point, Sir, in the amendment of Babu Naliniranjan Sarker which I want to be cleared up. Babu Naliniranjan Sarker proposes to delete the word "elected" from the operative portion of the Bill, but I fear that the meaning will still be the same, because in the beginning of the Bill it is stated that it is a Bill to determine the salary of the elected President, and then again in the preamble it is stated "Whereas it is expedient to determine the salary of the elected President of the Bengal Legislative Council", I should like to know whether there would be any difference in meaning if the word "elected" were dropped from clause 2 of the Bill.

Babu NALINIRANJAN SARKER: It is an unintentional omission.

Babu AMULYA DHONE ADDY: I am sorry I cannot but oppose the amendment moved by my esteemed friend—Babu Naliniranjan Sarker. We are informed by the Hon'ble Member in charge of the Bill that the President is to be a whole-time officer of this Council. If that be the case, Sir, the question is as to what should be the proper salary of that officer. I beg to submit that Rs. 3,000 per month is nothing but an adequate one. We are informed that the pay of the President of the Punjab Legislative Council is Rs. 3,000 a month and that of the Bombay Legislative Council is Rs. 3,000 a month. I am also informed, Sir, that your salary is Rs. 3,000 a month. I fail to understand as to why the salary should be reduced. On inquiry I find that the salary of the President of the Burma Legislative Council is Rs. 4,000 a month and also of the Council of the United Provinces Rs. 4,000 a month. It also appears, Sir, that the salary of the elected President of the Indian Legislative Assembly is Rs. 4,000 a month. We cannot expect to have an efficient President of this Council on a salary less than the existing one, *viz.*, Rs. 3,000 a month. If you have a mind to maintain and keep up the dignity of this House—if you have a mind to maintain the high traditions of this Council—you must have such an officer at the head of this Council who may deserve public confidence and who may be able to command respect not only from the Moderate party but also from the other parties—not only from the non-official members, but also from the official members of the Council. I am informed that the pay of the Secretary of this Council is not less than Rs. 2,000 a month.

Maulvi MD. NURUL HUQ CHAUDHURY: Is he in order to refer to that?

Mr. PRESIDENT: There is nothing out of order in it.

Babu AMULYA DHONE ADDY: If that be the case then it is certainly proper that the President of the Council should get a salary higher than that of the Secretary to this Council. In these circumstances, I think the salary of Rs. 3,000 is quite a reasonable one.

Mr. PRESIDENT: I will now call the other amendments and then throw open the whole question for discussion.

Babu HEMANTA KUMAR SARKAR: I sent in an amendment to the effect that zero rupees per month should be fixed as the salary of the President. But I do not find that amendment in the list.

Mr. PRESIDENT: There is an amendment on the paper in your name to the effect that the President should be paid "during each session of the Council". Do you move that?

Babu HEMANTA KUMAR SARKAR: I am not going to move it but I should have liked to have moved the other amendment.

Mr. PRESIDENT: Such an amendment is out of order. The way to secure your object is to vote against the question that "clause 2 form part of the Bill". If the Council expunges clause 2, the President will receive no salary. But a purely negative amendment cannot be moved.

The following motion was then, by leave of the Council, withdrawn:—

Babu HEMANTA KUMAR SARKAR to move that in clause 2, line 2, after the words "Legislative Council" the words "during each session of the Council" be inserted.

The following motions were called but not moved:—

Khan Bahadur Maulvi MUSHARRUF HOSSAIN to move that in clause 2, line 3, for the word "three" the word "one" be substituted.

Babu KHAGENDRA NATH GANGULY to move that in clause 2, line 3, for the words "three thousand rupees" the words "one thousand and four hundred rupees" be substituted.

Maulvi WAHED HOSSAIN to move that in clause 2, line 3, for the words "three thousand rupees" the words "one thousand and five hundred rupees" be substituted.

Dr. H. W. B. MORENO: I move that in clause 2, line 3, for the words "three" the word "two" be substituted.

These are the days of economy with efficiency. We have in the Calcutta Corporation a Chief Executive Officer whose duties are arduous and more continuous than the President of this Council. And his salary has been fixed at Rs. 1,500 a month! When one looks about, one sees that in our contiguous province of Madras the President's salary has been fixed at Rs. 2,000 a month and I hold that Madras is a populous Presidency and its activities are quite as great as Bengal. (Cries of "no, no"). Sir, I may also remind this Council that for a considerable time a member of this Council occupied the position of the President with no salary at all, and filled the post with great credit. As I have said these are the days of efficiency with economy and I think there is no loss of dignity if the President's salary is fixed at a lower figure than Rs. 3,000. I should think that a great deal of dignity is attached to the post itself. It is not attached to the salary but to the honour of the office. Sir, I patiently waited to hear arguments from those who wanted to have the salary fixed at Rs. 3,000 a month but I have only heard one argument and that is that the dignity of the post should be maintained. I hold, Sir, that there is greater dignity when a member of the Council fills the position and fills it for the honour that is due to that post and not for the salary.

Rai SATYENDRA NATH ROY CHOUDHURI Bahadur: I support the amendment.

Maulvi MD. NURUL HUQ CHAUDHURY: Sir, I have heard from the rice magnate to the effect that the salary of the President should be fixed at Rs. 3,000 a month. He has opposed Babu Naliniranjan Sarker's amendment simply because it has come from the Swaraj party. (Cries of Question.) Whatever comes from our side he must oppose it tooth and nail. However that may be, the revenue of Bengal is a diminishing revenue. This year a contribution of Rs. 63,00,000 to the Imperial Government is to be paid. A sum of Rs. 11,00,000 is to be paid on account of the increased emoluments of the mighty and heaven-born services. So there would be about 74 lakhs to be paid out of the Exchequer of Bengal although there is no indication whatever about the growing revenue of Bengal. Sir, as our revenue is being diminished day by day and as our expenditure is increasing day by day, we do not know where we shall be before long and therefore we cannot be a party to an increased expenditure. The services should be paid such a sum that would be barely necessary for the holders. I think and I do not know how many of my friends think that the future President of the Council would be an Indian and not a European and that being the case he should emulate the example of an Indian and he must be content with whatever he gets. He must not think of making a profit out of this post or leave anything for his children. If any gentleman from amongst ourselves wants to be the President, he should be content with whatever we give him. He must have got something on which to fall back upon, because he will be the President only for three years and he may not be elected for the next term of the Council. So the gentleman selected for the post must have not only influence but also some private means. Sir, may I ask my friend Mr. Addy a question. He has written a letter to the Press to the effect that the salary of the future Ministers should be decreased to Rs. 4,000 a month.

Mr. PRESIDENT: You need not go into that. It has got nothing whatever to do with the question. There will be the fullest opportunity for discussing the matter later.

Maulvi MD. NURUL HUQ CHAUDHURY: That being the case, may I ask my friend who opposes everything from the Swaraj party and who is against the aspirations of Indians—may I ask him that he, being a rich man, should contribute something to the Exchequer of Bengal so that the extra one thousand rupees may be paid out of his contribution. Sir, Bengal is very poor and we cannot pay more. So I formally request my friend Mr. Addy, to contribute some lakhs of rupees from his private purse for the increased salary of the President which he is supporting.

Babu AMULYA DHONE ADDY: Sir, may I offer a word of explanation. My esteemed friend said that I have opposed the amendment because it has come from the Swaraj party. I beg to submit that I am

personally as much a Swarajist as he is though I do not belong to his party. We all want Swaraj. The only difference is that my friend wants it at once and I want it later on.

Mr. PRESIDENT: That completes your explanation, Mr. Addy, I hope.

Babu AMULYA DHONE ADDY: Sir, one word more. I emphatically deny that I have opposed the amendment because it has come from the Swaraj party. The amendment has also come from Dr. Moreno and I have considered his amendment on its own merits.

Mr. PRESIDENT: I am sure the Council is aware of that.

Babu MANMATHA NATH ROY: Sir, although I am inclined to agree with Babu Naliniranjan Sarker that the pay of the President should be fixed at Rs. 2,000 a month so long as you want a whole-time man, I have very serious misgiving as to whether you want a whole-time man at all or whether the appointment should not be an honorary one. It seems to me that the appointment should be honorary, like the office of the Mayor of Calcutta, or the Vice-Chancellorship of the Calcutta University.

Mr. PRESIDENT: You cannot go into that, for the very simple reason that the amendment which was on in the paper has been withdrawn by leave of the Council.

Babu MANMATHA NATH ROY: But the Hon'ble Member in charge in moving the original motion referred to it.

Mr. PRESIDENT: He referred to it because it was then on the paper. It has now been withdrawn.

Babu BORODA PROSAD DEY: As we are used to big salaries for the services in this country and for the very useful services that are rendered by the President, the Government proposal of Rs. 3,000 certainly does not appear to be a very big sum, but when we look to the finances of the province, and when we find that all the nation-building departments are starving for want of funds, it is only a matter of duty for this Council to fix the salary at such a figure as would not in any way scare away a deserving man, but would be befitting the position that he will occupy. Well, Sir, as in the Corporation the Swaraj regime has been signalised by the Chief Executive Officer and others drawing lesser pay than was provided in the Act, I think the Swaraj regime in the Council should also be signalised by fixing Rs. 2,000, instead of Rs. 3,000, as the salary of the President. And I think that there may be persons amongst the Councillors who would be willing to give their services even for the decent sum of Rs. 2,000.

Khan Bahadur Maulvi MD. BHOINUDDIN: When we are discussing this subject I would just like to bring to the notice of the Council one

thing, and it is this. Our late President of this House was Nawab Syed Shams-ul-Huda, a vakil of the Calcutta High Court and of very extensive practice. I do not know what his monthly income was, but I think that it was not less than Rs. 6,000. He was succeeded by a member of the English Bar, our present President——

Mr. PRESIDENT: Khan Bahadur, I hope you will kindly keep me out of the discussion.

Khan Bahadur Maulvi MD. CHOINUDDIN: Certainly, Sir. If the House thinks it desirable to have men of this status, of these qualifications and legal education, I would ask it to consider whether in order to attract such men to the Presidential Chair, a salary of Rs. 3,000 would not be justified. Suppose you are going to select a President next year, and suppose your choice should fall upon Mr. Byomkes Chakravarti, do you think he will agree to accept a smaller salary——

Mr. BYOMKES CHAKRAVARTI: Kindly leave me out of the discussion.

Mr. PRESIDENT: It will enhance the value of your argument more, if you will leave out both the President, Mr. Chakravarti or any other member by name.

Khan Bahadur Maulvi MD. CHOINUDDIN: What I mean to say is that if you want to have men of the right type of high legal qualifications, experienced members of the English Bar or vakils of the Calcutta High Court, I think a salary of Rs. 3,000 will not be considered very high.

Maulvi ABDUL GAFUR: My friend Khan Bahadur, has said that Rs. 3,000 will be adequate, but my suggestion to the House is that it is a question whether we can afford to pay Rs. 3,000. We must not only look to the qualifications of the President we elect, but also to our pockets. If we cannot afford to pay Rs. 3,000, how can we expect such persons, may be from England or from the highest place in the Calcutta Bar, to accept the appointment? Moreover, I do not think that men of such calibre are required for the post. However, the question is purely economic. If we cannot afford to pay more than Rs. 2,000, this amount should be sufficient.

Maulvi KADER BAKSH: Sir, members who are in favour of Rs. 3,000 for the salary of the President, should also bear in mind at the same time the average annual income of an Indian, and they must also take into consideration the fact that several departments are suffering for want of money and thousands of people are dying in the mufassal for want of proper sanitary aids. I know personally that every year thousands of persons are dying from——

Mr. PRESIDENT: You can say all that on the 26h, when the budget discussion takes place.

Maulvi KADER BAKSH: I admit that the post of the President is dignified and very responsible, but I think that the necessity of the people is not less dignified and a salary of Rs. 2,000 for the President is not undignified, considering the financial condition of the province.

Maulvi SAYYED SULTAN ALI: Some comparison has been drawn between the Calcutta Corporation and the Government——

Mr. PRESIDENT: Maulvi Sahib, have you anything new to say? The last speaker merely reproduced the remarks of previous speakers.

Maulvi SAYYED SULTAN ALI: Yes, I have something new to say. I do not agree with those who share those views. The Calcutta Corporation have full control over its purse; they have reduced salaries for the purpose of utilising the savings, according to their own will for the benefit of the rate-payers. Here, the difference is that as soon as we curtail the pay of the President, the amount saved goes to the pocket of the Hon'ble the Finance Member, and there is no knowing whether he will utilise that for the purpose of the Secret Service of the Police set against us or such other like purposes. Under the circumstances, so long as we do not get full control of the purse, I am not prepared to reduce the salary.

The motion of Babu Naliniranjan Sarker was then put and a division taken with the following result:—

AYES.

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Yanneer.
Bagchi, Babu Remes Chandra.
Baksh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Bose, Babu Bejay Krishna.
Chakravarti, Babu Jogindra Chandra.
Chakravarti, Mr. Bhamkes.
Chakraverty, Babu Sudarsan.
Chaudhuri, Rai Harendranath.
Chaudhuri, Maulvi Saiyed Abdur Reb.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das Gupta, Dr. J. M.
Dey, Babu Beroda Prasad.
Gafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Haldar, Mr. S. N.
Hoq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Jeardar, Maulvi Aftab Hossain.
Khan, Babu Debendra Lal.
Khan, Maulvi Abdur Rasshid.
Khan, Maulvi Mahi Uddin.
Mahammed, Maulvi Basar.
Maity, Babu Mahendra Nath.
Mitra, Babu Jogendra Nath.
Morena, Dr. H. W. B.
Mukerjea, Babu Tarakanath.
Nasker, Babu Hem Chandra.
Neogi, Babu Manmohan.
Pahlowan, Maulvi Md. Abdul Jubbar.
Quader, Maulvi Abdul.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Babu Nagendra Narayan.
Ray, Dr. Kumud Sankar.
Ray, Kumar Shib Shekhareswar.
Ray, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Ray, Mr. Kiran Sankar.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarkar, Babu Hemanta Kumar.
Sarkar, Babu Nalniranjan.
Sen, Mr. N. C.
Sen Gupta, Mr. J. M.
Suhrawardy, Dr. A.
Taraddar, Maulvi Rajib Uddin.

NOES.

Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Ahmed, Maulvi Tayebuddin.
Alay, Khan Bahadur S. Mahboob.
Ali, Maulvi Sayyed Sultane
Ali, Mr. Altaf.
Barma, Rai Sahib Panchanan.
Barton, Mr. H.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Chaudhuri, Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cheinuddin, Khan Bahadur Maulvi Md.
Chowdhury, Maulvi Fazlal Karim.
Cohen, Mr. D. J.
Corcoran, Mr. B. J.
Currie, Sir William.
Das, Babu Charu Chandra.
Daud, Mr. M.
De, Mr. K. C.
Dey, Mr. G. C.
Donald, the Hon'ble Mr. J.
Dose, Rai Bahadur Pyari Lal.
Dutt, Mr. G. S.
Eddis, Mr. S. E. G.
Farequi, Khan Bahadur K. G. M.
Goenka, Rai Bahadur Badridas.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharruf.
Huq, Maulvi A. K. Fazl-ul.
Huq, Maulvi Ekramul.
James, Mr. F. E.
Khaitan, Babu Debi Prosad.
Lal Mahammed, Haji.
Law, Raja Reshee Case.
Liddell, Mr. H. C.
Masih, Mr. Syed M.
Mitter, Sir Provash Chunder.
Nandy, Maharaj Kumar Sris Chandra.
Oaten, Mr. E. F.
Phelps, Mr. T. J.
Rahim, the Hon'ble Sir Abd-ur-.
Ray, Babu Surendra Nath.
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra.
Ray Chaudhuri, Mr. K. C.
Ray, Mr. Tarit Bhusan.
Roy, Raja Manilell Singh.
Salam, Khan Bahadur Maulvi Abdus.
Skinner, Mr. S. A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Sarkar, Maulvi Allah Bukhsh.
Villiers, Mr. E.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

The Ayes being 52 and the Noes 61, the motion was lost.

Mr. PRESIDENT: Dr. Moreno's amendment is to the same effect, and falls to the ground.

Mr. PRESIDENT: The question is that clause 2 stand part of the Bill.

The motion was put and agreed to.

Mr. President: The question is that clause 2 stand part of the Bill.

The motion was put and agreed to.

The Hon'ble Sir ABD-UR-RAHIM: I move that the Bill, as introduced in Council, be passed.

The motion was put and agreed to.

Adjournment.

The Council was then adjourned till 3 P.M., on Thursday, the 19th February, 1925, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Thursday, the 19th February, 1925, at 3 P.M.

Present:

The Hon'ble the President in the Chair, the four Hon'ble Members of the Executive Council and 110 nominated and elected members.

Election of Deputy President.

Mr. PRESIDENT (the Hon'ble Sir Evan Cotton): Order, order! I have to inform the Council that His Excellency the Governor has approved of the election of Dr. A. Suhrawardy as Deputy President.

While extending a hearty welcome to Dr. Abdullah Suhrawardy and assuring him of our best wishes for a successful term of office as Deputy President, I feel the Council will also wish me to add a few words with regard to his predecessor. Major Hassan Suhrawardy was elected to the office of Deputy President on the 23rd January, 1924, and his resignation has been due to the fact that the East Indian Railway has passed under State Management. Major Hassan Suhrawardy is not only a medical man of the highest qualifications but is one of the senior District Medical Officers in the service of the East Indian Railway. We deeply regret that the necessity has arisen for him to severe his connection with the Council, but all those who desire to see the increasing association of Indians with offices of responsibility will be glad to think that he will still continue to enjoy opportunities for public usefulness. I think every member of the Council will admit that Major Hassan Suhrawardy has discharged his duties as Deputy President with conspicuous success. Whenever he has occupied the Chair he has, I believe, exhibited not only that strict impartiality which is expected from the Chair of this Council but also a thorough mastery of the Rules and Standing Orders. Personally I part from him with reluctance but I feel sure that his brother and successor will co-operate with me as loyally and as cordially, and endeavour with me to further the interests of the Council.

Starred Questions

(to which oral answers were given).

Language Examinations.

***XXX. Babu BORODA PROSAD DEY:** (*a*) Will the Hon'ble the Member in charge of the Appointment Department be pleased to

what rewards in money can be earned by the officers of the Bengal Executive and Judicial services by passing certain examinations during their terms of service?

(*b*) Have any such rewards been abolished in recent years?

(*c*) If so, what are the reasons for such abolition?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Sir Hugh Stephenson): (*a*) The member is referred to Appendix VI of the Departmental Examination Rules, a copy of which is laid on the Library table. Members of the Judicial branch of the Bengal Civil Service are not eligible for rewards.

(*b*) Sikkimese Bhutia, Bhutanese Bhutia, Lepcha and Kuki or Lushai have been excluded from the list of tribal languages for the study of which rewards are prescribed.

(*c*) It was not considered essential to encourage the study of these languages in the interests of administrative efficiency.

Babu BORODA PROSAD DEY: With regard to question (*a*), may I ask whether it is not a fact that the members of the Judicial Branch of the Bengal Civil Service were eligible to some of the rewards and they have only now been excluded from the list?

The Hon'ble Sir HUGH STEPHENSON: I think at one time members of the Judicial Branch were eligible.

Babu BORODA PROSAD DEY: May I have the reasons for their exclusion?

The Hon'ble Sir HUGH STEPHENSON: It is not considered necessary that they should know the language for the purpose of their work.

Colonials or Citizens of the Dominions in Provincial and Subordinate Services.

***XXXI. Mr. S. N. HALDAR:** Will the Hon'ble the Member in charge of the Political Department be pleased to state the number of colonials or the citizens of the Dominions of the British Empire, engaged at present in the Provincial and Subordinate Services of the Government of Bengal, giving the following particulars in each case—

(*i*) the name;

(*ii*) the office held;

(*iii*) the date of appointment;

(*iv*) the tenure of appointment;

(*v*) the salary; and

(*vi*) the colony or dominion to which he belongs?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Sir Hugh Stephenson): There are no such officers.

Rules for the guidance of police officers when making house-searches.

***XXXII. Mr. S. N. HALDAR:** (*a*) Will the Hon'ble the Member in charge of the Police Department be pleased to state—

(*i*) whether it is incumbent upon police officers to make no departure from the rules provided for their guidance when making house-searches; and

(*ii*) whether the rules were observed during the house-searches at Dacca on the 26th June last?

(*b*) If the answer to (*a*) (*ii*) is in the negative will the Hon'ble the Member be pleased to state the reasons for this?

(*c*) Are the Government considering the desirability of holding a public inquiry regarding the methods employed by the police officers and their conduct during the house-searches in Dacca on the 26th of June last?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Sir Hugh Stephenson): (*a*) (*i*) The rules laid down for the guidance of police officers when making house-searches are observed whenever possible but exceptional circumstances sometimes render strict compliance with the rules impossible.

(*ii*) and (*b*) The rules were strictly observed but immediately before the search of the house of Babu Manoranjan Banerjee, on it being discovered that a person was escaping over the back wall the Additional Superintendent of Police and an Inspector ran through the house before the arrival of the witnesses.

(*c*) Government see no reason for a further inquiry.

Unstarred Questions

(answers to which were laid on the table).

Tolly's Nala and Saraswati River.

22. Babu AMULYA DHONE ADDY: (*a*) Has the attention of the Hon'ble the Member in charge of the Department of Irrigation been drawn to the present condition of the Tolly's Nala in the district of the 24-Parganas and of the Saraswati River in the district of Hooghly?

(*b*) If so, will the Hon'ble the Member be pleased to state what steps, if any, are proposed to be taken for the re-excavation of the said nala and the said river, respectively?

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur): (*a*) Yes.

(*b*) In the case of Tolly's Nala an estimate has been sanctioned for silt clearance and work has recently been commenced. In order to improve the condition of the Saraswati River it is intended to carry out certain modifications to the sluice at Jamalpur with the view of flushing the Saraswati and other rivers in the Hooghly and Howrah districts during the monsoon. The Saraswati River has been kept under close observation during the last year and every endeavour has been made to flush it, but the supply of water was insufficient. There are certain obstructions in this river which is much overgrown and in places has silted and it is intended to clear it gradually as funds permit.

Subdivisional Officer, Feni, and the local Bar.

24. Maulvi SAYEDUL HOQUE: (*a*) Will the Hon'ble the Member in charge of the Appointment Department be pleased to state whether it is a fact that Babu Dhirendra Lall Dey, Subdivisional Officer of Feni, insulted a pleader of the local Bar when the matter appeared in a case against the police?

(*b*) Is it a fact that the Subdivisional Officer requested the pleader to withdraw the case and that on his refusal the pleader was insulted?

(*c*) Is it a fact that an inquiry was started by the District Magistrate who, without examining the witnesses named by the pleader, came away owing to illness and submitted his report to the Government?

(*d*) Will the Hon'ble the Member be pleased to lay on the table a copy of the report of the District Magistrate?

(*e*) Is it a fact that the local Pleaders' Bar formed an Inquiry Committee which after due inquiry supported the allegation of the aggrieved pleader and that the local Bar passed a resolution which was forwarded to the District Magistrate for action?

(*f*) Will the Hon'ble the Member be pleased to lay on the table a copy of the resolution of the Bar based on the report of the Inquiry Committee?

(*g*) Is it a fact that the case was in connection with a woman whom the police wanted to take away from the custody of her husband?

(*h*) What action, if any, have the Government taken or contemplate taking in the matter?

The Hon'ble Sir HUGH STEPHENSON: (*a*) and (*b*) The Subdivisional Officer denies that he requested the pleader to withdraw the case and that the pleader was insulted.

(*c*) The District Magistrate inquired into the facts and heard several witnesses. His visit was cut short by an attack of influenza

but he considered that he had obtained sufficient information to come to a conclusion on the incident.

(*d*) The Magistrate's conclusions were reported in a demi-official to the Commissioner; he made no report to Government.

(*e*) The local Bar passed a resolution after reading the report of a sub-committee and forwarded the resolution to the District Magistrate.

(*f*) A copy is laid on the Library table.

(*g*) The case was one in which the police officers were charged with assault. The Appellate Court has held that there was no truth in the suggestion that they wanted to take the woman away from her husband, and their action was justified in order to prevent molestation of the woman.

(*h*) Government do not propose to take any action.

Certain facilities to State and Ordinance prisoners.

25. Babu ANILBARAN RAY: Will the Hon'ble the Member in charge of the Political Department be pleased to state—

(*i*) what amount has been sanctioned for the diet of the Ordinance and State prisoners in the different jails in Bengal;

(*ii*) what clothing has been given to them at Government cost; and

(*iii*) what facilities, if any, are being given to such prisoners for their religious observances both in the matter of their daily worship and performance of special Puja ceremonies?

The Hon'ble Sir HUGH STEPHENSON: (*i*), (*ii*) and (*iii*) Suitable diet, suitable clothing and reasonable facilities for religious observances are provided. Government is not prepared to state details.

Documents seized at searches on 25th October, 1924.

26. Babu ANILBARAN RAY: Will the Hon'ble the Member in charge of the Political Department be pleased to state—

(*i*) whether any arms or incriminating documents were found as a result of the extensive searches on the 25th October, 1924; and

(*ii*) whether it is not a fact that the internal evidence of the documents seized at the house of Mr. S. C. Bose give the direct lie to the charge that he took part in a revolutionary conspiracy?

The Hon'ble Sir HUGH STEPHENSON: (*i*) The member is referred to the answers given to starred question II (*a*) (*ii*) and (*iii*) asked by Babu Manmohon Neogi on the 7th January, 1925.

(*ii*) No.

Financial Statement of the Government of Bengal for the year 1925-26.

The Hon'ble Mr. J. DONALD: I have the honour to present the budget estimates of the Government of Bengal for the year 1925-26.

These are presented in the usual form with the usual statements and a general review of the details. The statements are in the ordinary form, but as I promised last year, the list of original works has been drafted to show separately works in progress and new works. Only in one respect was criticism made last year in the presentation of the details, that made by Rai Harendranath Chaudhuri with reference to the Irrigation Budget. This is an extremely complicated and technical budget and we have endeavoured to explain it in a somewhat more intelligible form, but if even now it does not satisfy Rai Harendranath Chaudhuri in all respects, I should be very glad if he would come round to my office, when I will endeavour to satisfy his mind on the subject, and give all the information possible. And I extend that invitation to any member of the Council who has any difficulty in understanding any particular item or desires fuller or more detailed information. Mr. Woodhead and I myself will only be too pleased to give members any assistance.

I am afraid, Sir, I shall have to ask the indulgence of the Council for somewhat longer than usual this afternoon. This is due in part to a change in procedure which we contemplate; I shall explain this in a few minutes. But the Council will already have realised that we are again at a critical stage in our financial career. The period for which we were allowed a remission of the provincial contribution expires this year and we have had to include in the budget for 1925-26 on the expenditure side the contribution of Rs. 63 lakhs to Imperial Revenues. The framing of the budget in these circumstances has not been free from difficulty, and, as the Council will shortly hear, a good deal of it must for the present be of a provisional character. We have of course moved in the matter and requested that the remission be made permanent, but unless and until we get a favourable answer to our claim for relief, we must assume that we are liable for the contribution. I shall refer again to this question, but let me say here at the outset that unless the relief is continued, we shall again be in a desperate position with no hope of progress or development for some time to come.

In introducing the budget last year, I gave an account of the general financial position from the date on which the reformed constitution came into being up to the beginning of the year 1923-24. I then pointed out to the Council that the first year's working, *i.e.*, 1921-22, ended in a deficit of Rs. 1,70,58,000. Thanks to the remission of the provincial contribution, to retrenchment and to the imposition of new taxation,

we improved our position considerably in the following year and finished with a surplus of Rs. 23,41,000. This was not a real surplus however. It was due to an adjustment of capital expenditure of Rs. 29¼ lakhs on the purchase of dredgers which had been charged to revenue in 1921-22. Had we had in that year to pay our contribution we should have been in deficit to the extent of almost Rs. 40 lakhs. As for the year 1923-24, I anticipated that with some improvement in the proceeds from new taxation and further measures of retrenchment, we should have a surplus of Rs. 31 lakhs. Our revised estimate of receipts for the year as originally presented was Rs. 10,36,84,000 and of expenditure Rs. 10,06,03,000. The estimate of receipts was modified in a later edition of the budget, on the basis of further actuals, to Rs. 10,29,84,000 which turned out to be 2½ lakhs above the actual figure for the year. In the details there were some variations. Better settlement recoveries led to increased receipts under Land Revenue, but there was a considerable drop in the proceeds of the Amusement Tax and in medical receipts.

On the expenditure side our estimate was in excess. There was less expenditure than we had anticipated on General Administration and Public Works and with other minor variations the ordinary expenditure, excluding loan operations, was about Rs. 8¾ lakhs less than that which I anticipated this time last year. Bringing in loan and capital operations our total expenditure amounted to Rs. 9,88,65,000 and the closing balance was Rs. 1,29,64,000 instead of Rs. 1,14,73,000 as taken in the revised estimates for 1924-25 as ultimately adopted. The year ended with a surplus of Rs. 38,72,000. Had we had to pay the provincial contribution to the Central Revenues we should have been in deficit to the extent of Rs. 24,28,000.

This brings me to the current year. The budget as finally presented to the Council provided for receipts of Rs. 10,26,98,000 and expenditure of Rs. 10,30,97,000. This is exclusive of the loan account. This included expenditure on new schemes to the extent of Rs. 35,89,000, schemes chiefly of a non-recurring character which we were able to meet from our accumulated balances, accumulations which had resulted from our economy, retrenchment and from the fact that our provincial contribution had been remitted. We were not able to embark on schemes of a recurring character involving a permanent charge on our revenues, as we had still hanging over our heads the possible liability in future years of having again to pay our provincial contribution. On the revenue side, I anticipated that there would be an improvement in our receipts from Land Revenue, Stamps and Excise. In these respects our anticipations are likely to be fulfilled. From Stamps and Excise we expect to reach the figure I adopted in the budget and the expected receipts under Land Revenue are just a little higher than the budget estimate. There are minor variations under the less important revenue heads, including an increase of Rs. 21 lakhs under Police and Rs. 11

lakhs under Industries, and a notable expected fall of Rs. 2½ lakhs in the receipts from the Amusement Tax, and on the whole our receipts as we have now revised them will be nearly Rs. 4½ lakhs over our original estimate. The figures are Rs. 10,31,53,000 as against the original estimate of Rs. 10,26,98,000.

The estimates of expenditure were considerably modified by the Council when the various grants were put forward for their acceptance. It will be remembered that the Council refused in their entirety the demands on the reserved side under the heads—Land Revenue, Stamps, Forests, Scheduled Taxes, Irrigation, Administration of Justice, Jails and Ports and Pilotage. With the exception of Irrigation His Excellency the Governor, in exercise of the powers conferred on him by the Government of India Act, restored the full amounts of the demands in each case. In respect of the demand under Irrigation which was for a sum of Rs. 39,74,000 His Excellency restored Rs. 29,93,000 only, excluding among other items a sum of Rs. 5 lakhs for a contribution which Government had agreed to make to the Corporation of Calcutta towards the cost of the Bidyadhari Spill Reservoir. This contribution had been promised on condition that the amount was voted by the Council, and, the condition not being fulfilled, Government were then unable to make the contribution. The Council also rejected certain items in the Police Budget, but eight of these were restored. On the Transferred Side all the demands were voted, with the exception of two items in the Education and Medical Budgets—the Education Inspectorate in the former, the Medical Establishment in the latter. These were, however, restored by the vote of the Council in the August Session. Further, the provision for the salaries of Ministers was refused at the time of voting of grants and this decision was reaffirmed at the August Session when the Council were given an opportunity of reconsidering the question. The provision for the Civil Secretariat on the Transferred Side was also refused by the Council but the expenditure was authorised by His Excellency the Governor, as also a sum of Rs. 20,000 to cover the contingent expenditure of the Ministers. I do not propose to say any more about these refusals and restorations. They were fully dealt with in the *communiqués* which were issued in May and July last and the facts are well known to all the members of Council. The effect, however, of these various decisions, including the supplementary grants voted in the August Session of the Council, was to reduce the total sanctioned expenditure from the figure of Rs. 10,30,97,000, which I had already submitted as the estimate of expenditure for the year, to Rs. 10,20,83,000. On the information now before us, I do not think this latter figure will be worked up to. I estimate that the expenditure —taking the revenue account only— will be about Rs. 21½ lakhs short of the sanctioned grant. To this several factors have contributed. We have saved much paper and many printing charges by the fact that the Council meetings have been fewer during the current year—a

onsequence of the Council's refusal to provide funds for the appointment of Ministers. The anticipated demand for our contribution owards the construction of the Ranchi Mental Hospital has not had to e met during the current year, as progress has not been such as to equire the Bihar and Orissa Government to call on us for the full amount provided in the budget. The expenditure on Jails is likely o be about Rs. 4¾ lakhs less than the budget provision, mainly due to liminished dietary charges for district jails consequent on an exceptionally low jail population during the current year and to a diminished outlay on raw materials for jail manufactures. Under the Administration of Justice a considerable saving is expected from Civil and Sessions Courts. The provision made was more than adequate to meet requirements for temporary Judges and Subordinate Judges, while there has been a saving owing to the fact that a larger number than usual of Provincial Service officers have been officiating in posts ordinarily reserved for members of the Indian Civil Service. In all departments the new rules for travelling allowance—drafted as a result of the recommendations of the Retrenchment Committee—have diminished the charges for travelling allowance to a considerable extent. On the other hand, there is likely to be a large increase in the charges for superannuation allowances and pensions, owing apparently to a mistake or misunderstanding in the adjustment of the charges for previous years. In the loans part of the budget we expect a saving of over Rs. 4½ lakhs—due to the fact that local bodies were not ready with their schemes. The variations have been explained in detail in the financial statement, and I need not enlarge on them further here.

In the result we anticipate that we shall close the current year with a surplus of Rs. 36½ lakhs. Here again, let me observe that had we been burdened with our provincial contribution, we would have closed with a deficit of Rs. 26½ lakhs. Our opening balance at the beginning of the year we estimated at Rs. 1,14,73,000. As I have already explained, our receipts and expenditure in 1923-24 were less than we had anticipated, and the actual opening balance of 1924-25 was Rs. 1,29,64,000. Adding to this the surplus of the current year we estimate that we shall have in our balances at the close of the current year a sum of Rs. 1,66,15,000. I would again repeat that these accumulations are the result of economy, retrenchment, and the remission of our provincial contribution. Had our contribution not been remitted, all the efforts that we have made in the past three years would not have sufficed to enable us to balance our budget and be free from debt.

In the coming year we have perforce to make provision for our contribution to the Central Revenues. We have again represented to the Government of India the necessity—the vital necessity—for the permanent remission of that contribution. In doing so we have not abated our claim for an entire revision of the Meston Settlement,

but pending such a revision we contend that the continued remission of the contribution is vital to the needs of the Province. We cannot go on marking time and allowing the proceeds of our new taxation to be swallowed up merely in maintaining the normal wants of the administration without making any progress or development. The necessity for this remission will be abundantly clear from the facts I have already given regarding the current and past years. Had we to pay our contribution, we should have been heavily in deficit. This is still more confirmed by the estimates for the coming year, and I now turn to the budget for 1925-26.

In the coming year I anticipate a total revenue, inclusive of loan operations, of Rs. 10,55,11,000, an increase of about Rs. 10½ lakhs on the revised estimate of the current year. When members of Council proceed to examine the details they will at once be struck by the fact that I have placed the excise revenue at Rs. 17 lakhs in excess of the figure for the current year, and I have no doubt that we shall again hear the cry that Government is exploiting the vice of drink and drugs to secure revenue. The figures are, however, capable of explanation. It is true that we do anticipate larger revenue from this source. Thanks to improved means of administration, we anticipate an increase of about Rs. 5 lakhs from the ordinary sources of excise revenue. The difference between this and the figure of Rs. 17 lakhs which represents the total anticipated increase is the result of a revised system of accounting. Hitherto we have shown in the receipts under the head "Excise" the gain from the sale-proceeds of opium—this being the difference between the price paid to the Government of India for the opium and the receipts obtained by us. With the separation of Provincial and Central Accounts following on the Reforms we are now showing the total receipts from the sale of opium on the receipt side of the budget and the expenditure, that is the price we pay to the Government of India, on the expenditure side. This accounts for the increase in the figure of receipts next year and it will be observed that there is a corresponding increase on the expenditure side.

I have said that we expect an increase of about 5 lakhs in the ordinary course. In this connection I should like to quote some figures to indicate the result of our Excise policy, a policy which has consistently been the restriction of the facilities for supply consistently with adequate control and safeguards against illicit traffic. Opium is rather a prominent question at the present time. Now, in 1913-14 the consumption of this drug in Bengal amounted to 68,405 seers, in 1923-24 the figure was 39,917 seers. In Calcutta itself in the same period consumption has been reduced from 21,268 seers to 12,000 seers. These are striking figures, which we attribute to the policy consistently followed in reducing facilities for supply, in restricting the

limits of possession and in keeping up the price. It is interesting in this connection to note that many of our local Advisory Boards show a marked disinclination towards reducing the facilities for obtaining opium and direct their activities more towards abolishing ganja and country spirit shops. And I may mention that we have at present under consideration a Bill in regard to opium-smoking of a very drastic character which we propose to put before the Council at an early date. The figures relating to country spirit and ganja are no less striking. The consumption of country spirit in 1913-14 was 822,971 gallons, in 1923-24 621,183 gallons, a decrease of 200,000 gallons. The consumption of ganja fell from 118,449 seers in 1913-14 to 66,619 seers in 1923-24. I may add that we are considering the introduction of the tree-tax system in tari—the fixed fee system has been found unworkable and better control will be obtained under the proposed new system. Another feature of some interest in this department is the extended manufacture of commercial alcohol. This is very satisfactory in view of the severe competition of imported commercial spirit.

The other main increase we anticipate in our revenues comes from Stamps. Trade conditions are improving and we should secure more benefit from our enhanced taxation in the coming year. We expect also to get an increased assignment from the Government of India in respect of unified stamps. The present assignment does not adequately express the revenue really due to the Government of Bengal from the sale of such stamps for provincial transactions. I do not think we shall be far wrong in expecting an increase of Rs. 10 lakhs over the figure for the current year.

Head "XIII—Irrigation Works" for which Capital Accounts are kept shows a debit receipt in the coming year. I shall explain this later when dealing with the expenditure side, as the operations are largely in the nature of expenditure which is set off against the receipts.

The variations in the other heads of our revenues are of a minor character and have been explained in the financial statement. In the result our estimate for the coming year is Rs. 10,55,11,000, an increase of Rs. 10,54,000 over the revised of the current year. If we exclude loan operations our ordinary receipts are Rs. 10,45,16,000, which is Rs. 13,63,000 in excess of the current year's figure as revised.

Turning to expenditure, it was a criticism of last year's budget debate that it was a budget with no policy behind it. To some extent, I admitted this and attributed it in part to the fact that the Ministers had assumed office only a few days before the preparation of the budget and could hardly have been expected to frame a policy and furnish new schemes in accordance with that policy for inclusion in the budget. I also referred to the fact that by the procedure which we followed it was left to the Members of Government to explain the policy after

the Members of Council had discussed the budget merely on the facts presented by me and before they had had an opportunity of being informed of the policy of each department. In regard to this latter point, we have now decided to revert to the procedure, which we followed some years ago, by which Members of Government introduce the particular budget heads relating to the departments in their charge and elucidate more fully their policy and the proposals for which they will next month put forward demands. This introduction will be made after I have concluded my remarks, and when members proceed to discuss the budget next week, they will thus be in possession of much more detailed information as regards the policy and the proposals of the various departments. I shall myself deal with the Transferred Departments, and I propose to speak on them before I sit down—elaborating at somewhat greater length than I would otherwise have done in the ordinary course of presenting the budget. I have referred to the fact that last year the Ministers had little or no time to frame a policy or frame schemes before the preparation of the budget. This year there are of course no Ministers and consequently no policy can be put forward by Ministers responsible to the Council. There is, however, a policy behind the budget for the year 1925-26. The policy and proposals in the Transferred Departments are those of His Excellency the Governor himself, who is now administering the Transferred Departments—responsible neither to the Council nor to the Secretary of State—but I venture to think that the proposals which will be put forward will be acceptable to the Council, and will meet with the concurrence of any Ministers who may be appointed.

The proposals for expenditure for which provision has been inserted in the budget, as I now present it, contemplate an expenditure of Rs. 11,44,11,000 which is Rs. 136 lakhs beyond the revised estimate of the current year and about Rs. 89 lakhs over and above our revenue. These figures may astonish the Council—Rs. 136 lakhs more than the current year and Rs. 89 lakhs beyond our income. Well, we have, as I have already explained, to provide for Rs. 63 lakhs towards our provincial contribution. We have to do this according to the Devolution Rules. Then there is the normal expansion due to the increments of salaries, etc., partly as a consequence of the decision on the Lee Commission Report, and finally there are proposals for new expenditure amounting to Rs. 58½ lakhs. This new expenditure we are able to meet because of the accumulations in our balances to which I have already alluded. The new expenditure is almost entirely of a non-recurring character, only about Rs. 9 lakhs being in the nature of a permanent charge. But I desire here to emphasise one point and that is that if we do not secure the remission of our provincial contribution, all this expenditure will not be possible and we shall have to reconsider

the position. We have, however, made this provision in the hope that this remission will continue: otherwise it will be necessary to conserve our resources in order to meet the deficit that would be caused by the continued payment of this contribution. Let me here explain our financial position as it would be if we incurred no new expenditure. As regards officers under the new time-scales of pay we have with more experience got on to more accurate estimates and generally the estimate of expenditure at which we have now arrived represents, I think, fairly accurately the cost of the administration of the Province on the existing restricted lines. Budgetting for the ordinary activities of the Province and including our provincial contribution we have arrived at a figure of expenditure of Rs. 10,78,23,000. This is exclusive of loan operations. This figure does not however provide for normal expenditure on public works because it only allows for expenditure on works in progress and makes no provision for any new works. But taking this figure our ordinary expenditure to carry on the administration represents an excess of Rs. 33 lakhs over our income—in other words by the payment of our provincial contribution the budget is a deficit one to the extent of Rs. 33 lakhs. It would be considerably more in deficit if the normal figure for expenditure on public works were included. That is our position—Rs. 33 lakhs in deficit—and we should have to conserve our balances to meet the payment of that sum annually until our position improved or we secured complete remission. It is for this reason that the proposed new expenditure must be treated for the moment as provisional. But we hope that our contribution will not be levied again and that we shall be able, subject to the concurrence of the Council in voting the amounts for the various new schemes, to carry them out to completion.

These new schemes are set out in the explanations given in the financial statement, but as last year I propose to refer briefly to the more important schemes—the various Members-in-charge will deal more fully with them in introducing the various heads of the budget, and again following last year's procedure, I shall take under the main departmental heads the portions of the Civil Works Budget which appertain to those departments. In dealing with the various departments I shall also touch on any important variation which affects the budget provision as distinct from the new schemes which will be met from the Rs. 58½ lakhs to which I have referred.

Let me first take the subjects on the Reserved Side.

Under Land Revenue there is an increase over this year's revised estimate of about Rs. 7 lakhs. Of this Rs. 3¾ is due to a change in the system of accounting in regard to the payment of cesses from Government estates. Hitherto this has been debited against the management and improvement grant of Government estates to

the extent of the difference between the demand and the recoveries of such cesses. In future this charge will not proceed against this grant, and while the cesses payable will be debitable to the provision for the management of Government estates, the recoveries will be shown on the receipt side of the budget. An increase to a somewhat corresponding extent can be observed under the Revenue head. Survey and Settlement show a normal increase due to the development of existing operations.

On Forests there will be less expenditure. In the current year there were special provisions for development and these are not required in the coming year.

I have already referred to the fact that the Receipt head "XIII—Irrigation, Navigation and Drainage Works for which capital accounts are kept" shows a *minus* figure. This particular head refers to projects, the receipts and expenditure of which are treated on a commercial basis, and the budget figure represents the net revenue—that is gross receipts less working expenses. In the coming year although a slight increase in revenue is expected, working expenses on the other hand will be considerably in excess of the current year's figure. These working expenses include "Extensions and improvement" as well as "Maintenance and repairs". Three important improvements are intended—the reconstruction of three bridges—the Dum-Dum bridge over the Circular Canal and the Alipore and Tollygunge Bridges over Tolly's Nulla. The charges of these reconstructions are shared by the Calcutta Improvement Trust, the Calcutta Corporation and Government. Under "Repairs and maintenance" much leeway has to be made up. Expenditure has been kept down in recent years—partly because of financial stringency and partly because the Council refused to vote supplies. It is imperative that no further deterioration be allowed in some of the more important channels of communication, and we shall have to spend more than Rs. 2 lakhs over this year's figure to clear the channels and maintain steamer communications. Naturally with this extra work establishment charges must also increase considerably.

On the expenditure side, under the head "Irrigation expenditure financed from ordinary revenue" there is an increase next year over the revised estimate of the current year of Rs. 3 lakhs. The increase is primarily under new works, with a consequent increase in establishment charges. Rupees 2,90,000 has been provided for continuing the work of remodelling the Hoorhoora Khal, Rs. 1,09,000 for retiring and widening the Buxi Khal, Rs. 17,000 for surveys on the Damodar Embankment, in the Nadia rivers and in the Burdwan and Bankura districts and Rs. 25,000 for the Amirabad Drainage project. There are also a few new works of somewhat minor importance.

Heads 16 and 55 of the Expenditure Budget go together. This has been explained in some detail in the paragraph of the Financial Statement relating to Head 55 as I have already stated, and I do not propose to enlarge here on the technicalities of the budget in regard to this expenditure. If the explanation given in the Financial Statement is not quite clear to any one, it will be much easier to explain it across the table. I desire here to mention only what is being done. This year we are widening the Madaripur Bhil route and dredging the Lower Kumar river at a cost of Rs. 3½ lakhs, and there has been some expenditure on dredging operations in the Bidyadhari. Next year it is proposed to spend Rs. 1,55,000 on widening, dredging and improving and there is thus a considerable drop in the expenditure next year.

The General Administration Budget is Rs. 6¼ lakhs over that of the revised of the current year. This is accounted for partly by the fact that provision has been made for Ministers at the full salary hitherto paid. This provision follows past practice but is of course liable to change should there be any alteration in the number of Ministers. Then there is the inclusion of a sum of Rs. 83,000 for the appointment of Circle Officers for the furtherance of the policy for the development of village self-government. This is a recurring item of expenditure and although it appears in the budget under a reserved head, it is really in the interests of the transferred department of Local Self-Government. Again, we have had to provide the full amount for the Legislative Council in anticipation of a renewal of its normal activities. These variations together with the usual normal expansion of the department, increments of salaries and the like, account for the total increase in the budget provision. There are certain provisions in the Civil Works Budget which may appropriately be alluded to here, as they refer to buildings necessary for the general administration of the Province on the magisterial and revenue side. Among these are new Subdivisional Court buildings at Siliguri—the former buildings were destroyed by fire last year; an extension of the Dacca Collectorate to provide accommodation for the office of the Superintendent of Police, and an extension of the Subdivisional Court buildings at Netrakona in the Mymensingh district—also a subdivisional office with sub-treasury and guard room at Gopalganj. It is also proposed to construct quarters for officers at Netrakona, Chandpur and Patuakhali.

There is a slight increase over the revised estimate in the provision under Administration of Justice, but the figure is considerably below that originally entered in the budget of 1924-25. A sum of Rs. 1,88,000 of new expenditure, involving an ultimate expenditure of Rs. 3½ lakhs, has been provided in the Civil Works Budget to meet a long-felt want in the matter of Civil Court buildings and residences for Munsifs. New Munsifs are proposed at Chandpur, Rajbari, Munshiganj, and additions and alterations to the Civil Court buildings at Mymensingh,

Rangpur and Chittagong, and residences for Munsifs at Chikandi and Raiganj.

The Jails Budget provides for the ordinary administration and the figures are based on past experience. A new item is a provision of Rs. 18,000 for tube wells in the Hijli Jail, and provision has also been made for the maintenance of persons restrained and confined in the jails under the provisions of Ordinance I of 1924.

The Police Budget is about Rs. 3 lakhs in excess of the revised estimate of the current year. The additional expenditure is due partly to the increase in pay consequent on the report of the Lee Commission, and partly to rather larger provision for Travelling Allowance but chiefly to the increased expenditure required for the additional temporary establishment which it has been found necessary to entertain to deal with the great increase in work that has resulted from the activities of the revolutionary party. In the Civil Works Budget Rs. 40,000 have been allotted for the construction of barracks for married constables in the Jalpaiguri police lines. A sum of Rs. 8½ lakhs has also been provided towards the carrying out of the Calcutta Police buildings scheme. This scheme, it may be remembered, was before the Council last August, and although the need for improved buildings was generally admitted, the Council rejected the scheme on other grounds. I shall leave it to the Hon'ble Member in charge of the Police Department to deal more particularly with this question, but I may say that it is proposed to recoup this and any further expenditure from the loan which it is hoped to take if our contribution to the Central Revenues is remitted.

The Education Reserved Department have made provision for expenditure on ordinary lines and in conformity with the Code of European Schools. The only new item is the provision of Rs. 61,000 for the Entally Orphanage. This Orphanage provides for between 400 and 500 orphan children who are absolutely destitute. The central building of this Orphanage, which was erected in 1859, has been condemned as dangerous for human habitation. One hundred and seventeen children belonging to the Orphanage have had to evacuate the premises and are at present being lodged in other dormitories which are already full. The result is that these 117 children have to sleep on the floor on mattresses brought in each night and taken out each morning. In some cases these children have had to sleep under the beds of other children. The cost of rebuilding the central block is estimated to be Rs. 1,22,000. The committee of management are prepared to raise half the estimated cost from private sources and Government propose to provide the other half.

The Council will doubtless be more interested in seeing what is to be done in the Transferred Departments. His Excellency has

had no Ministers to advise him and he has therefore had to proceed cautiously realising that Ministers may again be appointed and be responsible with him for the administration in 1925-26 of the funds provided for Transferred subjects. Some of the proposals are not yet fully determined; they have been accepted in principle by Government but have not been worked out in full detail or adopted by local authorities, and therefore though the provisions in the budget for some of the schemes may appear small, they represent only the expenditure in the initial stages, the amount only that can be spent in 1925-26. Larger and perhaps gradually increasing provision will be required in succeeding years.

The Council will remember that last year Mr. Das put forward a constructive proposal of development and they were subsequently informed that I was in touch with him over one particular proposal. That proposal had reference to the public health establishment of local authorities in the districts, primarily District Boards. The proposal was in its essentials on lines which had been worked out some time ago by our Director of Public Health. I at once put Dr. Bentley on to Mr. Das' suggested scheme and when members of the Council look into the budget, they will find under the head of Public Health a sum of Rs. 1,25,000, a recurring item, for subsidies to District Boards for the creation of public health organisations. The sum may appear small, but as I have said, this is only the amount that is likely to be spent during 1925-26. The scheme will shortly be placed before District Boards for their opinion and if it is accepted many details will have to be worked out before the establishment can be appointed. We do not expect that this will be finished till later on in the year, and consequently District Boards will not have to incur much expenditure during 1925-26. But we realise that it will involve much heavier expenditure in the future. It is of course possible that this sum may be exceeded during the coming year, but I do not think that there should be any difficulty in enhancing the provision later on in the year, provided our provincial contribution is remitted. I may mention here that the District Board of the 24-Parganas are about to embark on a scheme of this kind, and Government have already decided to make a grant of Rs. 25,000 to this Board in 1925-26 to assist them in setting up a public health organisation in the district. This is of course subject to the Council passing the provision in the budget, but I am sure the Council will agree with Government that every encouragement should be given to local bodies in their efforts in this direction. It is the hope of Government that other District Boards will follow this highly creditable action on the part of the District Board of the 24-Parganas.

I have mentioned this particular question of public health organisations here as a separate item, as an indication that we are not slow

(although the working out may be a slow process) to consider proposals which are put before us by members of this Council. And that we are not unmindful of the Transferred Departments, and are fully anxious to do what we can to meet their wants, will be evidenced from the various schemes for which we have made provision, to which I shall now refer under the appropriate heads. May I here interject that of the new expenditure proposed, nine lakhs is recurring, the balance non-recurring. We cannot provide more recurring expenditure until the remission of our annual contribution is assured—it may be difficult to meet even this expenditure if we have to pay our contribution and the matter may demand re-examination. Now, with two trifling exceptions the whole of this recurring expenditure is for the benefit of the Transferred Departments. I include in this the provision for circle officers—which appears in the General Administration budget, a reserved head—as these officers are intended primarily for the administration of transferred subjects.

Let me revert to the budget heads in their order. Excise shows an increase which is due to the reasons I have explained, *viz.*, the debit of the total amount payable to the Government of India for opium supplied for the requirements of the Presidency.

Education is the chief spending department on the transferred side and the Education Budget, the Council will be gald to hear, is nearly 7 lakhs in excess of the provision of the current year. With the exception of Public Works, this branch of our activities has secured the biggest share in the distribution of new expenditure. Last year it will be remembered that there was considerable criticism because we had made no provision in the Budget for assistance to the Calcutta University, and it was explained that this was because we were not in possession of information as to the extent of the relief required. Later in the year we put forward a supplementary demand and eventually a grant of Rs. 2,30,000 was made to the University. This grant was intended to cover the deficit then existing in the University's finances. The question of giving further assistance to the University by a recurring grant which would cover the gap between revenue and expenditure—a gap on the wrong side—remained for consideration. The extent of this gap is still under examination by the University authorities and until they have arrived at their conclusions it will not be possible to say how far assistance from provincial revenues is required. Assistance Government are prepared to give, and although we are not aware as to the actual extent to which it will be required we have reason to believe that it will not exceed two lakhs, and we have inserted a provision of that amount in the budget.

There are many educational problems relating to secondary and primary education. One of the most important and perhaps the most urgent is the pay of teachers in non-Government secondary

schools. Let me assure the Council that we all sympathise with the position of these ill-paid teachers and desire to assist in improving their position. To that end we have made a recurring provision of three lakhs which we think will go a considerable way towards ameliorating the conditions under which they serve. The scheme still requires to be completed in detail in consultation with local authorities, and the Education Department will probably not be in a position to require more than this sum before the 31st March 1926. We, of course, realise that this is but a beginning and that in future years this provision will have to be considerably increased. In primary education it is encouraging to find that Mr. Biss' scheme is making steady if slow progress. As the Council is no doubt aware, the Government have undertaken to meet half the cost, recurring and non-recurring, of introducing schemes for primary education on the lines of Mr. Biss' report, where the local authorities undertake to meet the other half either from their own funds or by levying an education cess. The annual provision of Rs. 75,000 will now be fully utilised in meeting recurring liabilities on account of schemes already sanctioned. Side by side with Mr. Biss' scheme we are carrying on the Panchayati Union scheme. Under this scheme grants are made to District Boards to enable them to establish one primary school in every Panchayati Union in the Province. Of 7,012 unions in the Province, 3,394 have already been provided with schools. The sum of one lakh which has been allotted for this purpose will enable District Boards to construct 100 additional schools. Another item of new expenditure is a building grant to the Church Missionary Society High School at Garden Reach. This school caters for the educational needs of a large Moslem population and is doing excellent work in a backward locality where there is no other good school. It is also proposed to convert the existing horse bus service for the Bethune College into a motor bus service. This scheme will effect an economy in recurring expenditure as the running of the motor bus service will cost practically Rs. 2,000 a year less than the present horse bus service. In all we have provided nearly Rs. 8 lakhs of new expenditure in aid of Education.

In the Education part of the Civil Works Budget we have made provision for a hostel for Muhammadan students at the Chittagong College and a Hindu hostel for students of the Krishnagar College. We also propose to extend the Muhammadan hostel attached to the Barasat Government High School and construct new dormitories for Dr. Khastgir's High School for Girls at Chittagong. Repairs to the Jagannath Intermediate College building and hostels is the only other educational work in this part of the Civil Works Budget.

The Medical Budget for 1925-26 approximates to that for the current year, but is three lakhs in excess of the revised figure. Lunatic asylums are responsible. As I have already explained, the full provision in this

year's budget was not required to pay Bihar and Orissa for the the construction of the Central Mental Hospital for Indians at Ranchi. The hospital is expected to be opened in 1925-26, and we shall have to pay our own contributions not only for the building but also for furniture and equipment, and there will also be the charges for maintenance as well as for transferring the lunatics confined in our asylums to Ranchi. We have also agreed to pay in 1925-26 three half-yearly contributions to the European Mental Hospital instead of two as hitherto in order to avoid interest charges on a loan. This asylum must have a large working capital and this was originally provided by a loan from Central Revenues. With contributing provinces paying their commitments in advance, it will be possible to avoid interest charges on such a loan. In future years there will of course be only two payments.

The provision made last year for encouraging local bodies to increase the number of thana and village dispensaries is repeated. There has been an encouraging response from local bodies to the offer made some time ago by Government, *viz.*, a grant of Rs. 500 per annum in the case of each thana dispensary and Rs. 250 per annum in the case of village dispensaries. The full amount of the Government allotment has, however, so far not been utilised as there is a very definite limit to the increased charges for medical expenditure which local bodies can incur from their own funds. The creation of a public health organisation with sub-assistant surgeons in charge of each public health circle—if this scheme receives the support of local bodies—will add enormously to the facilities for obtaining medical attendance which the fixed dispensary system only partially provides, while at the same time the preventive work of the new staff should help appreciably towards the reduction of disease.

As regards medical schools, full provision has been made for the Mymensingh Medical School. Government, I may say, are anxious to provide additional facilities for medical education outside Calcutta—partly in the hope that an increased output of students with the sub-assistant surgeon's qualification may ultimately lead to the settlement of a large number of doctors in their native districts, although the rewards of private practice may be modest. If the public health organisation scheme is taken up by the local bodies, who may add, as time goes on, to the minimum staff which Government now desire to create, an appreciable number of openings will be provided for men qualifying from local schools. Schemes for the establishment of new medical schools are actually under consideration, but the local proposals have not yet in any case reached a stage at which Government may make any definite promise of financial assistance.

In the Civil Works Budget we have provided nearly Rs. 2 lakhs on medical projects, the most important of which is a hostel for the

students of the Ronaldshay Medical School at Burdwan at a cost of over Rs. 1½ lakhs.

Continuing the policy of assisting the Transferred Departments in so far as we are able from our resources and in so far as a policy can and has been determined—we have allotted increased sums for certain Public Health purposes. The total budget grant is less than that of the current year; this is entirely due to the fact that local municipalities have no schemes in readiness towards which they desire Government assistance. Last year there were eight local authorities for whom grants were provided to assist in schemes of water-supply and drainage. In the coming year there are also eight but several are of a petty character, and instead of having to provide about Rs. 8 lakhs as we did last year the demand in the coming year is only Rs. 2⅓ lakhs. There is one item which to all appearance seems petty, but it is really an item of great importance. I refer to the provision of Rs. 1,000 as a grant towards the Bhatpara sewerage scheme. This scheme is estimated to cost Rs. 18 lakhs and should improve in a striking degree the sanitary conditions of this important industrial centre. The mill-owners are contributing Rs. 11½ lakhs and the municipality Rs. 50,000 to the scheme, and Government propose to contribute the remaining third. For the moment, we propose to ask the Council merely to vote Rs. 1,000 out of this total grant of Rs. 6 lakhs with the full knowledge that they thereby commit themselves to the full grant of Rs. 6 lakhs when the Rs. 12 lakhs now in the hands of the local committee has been expended. It is obviously impossible for the municipality and the mill authorities to proceed to spend their contributions unless they are first satisfied that they will receive the usual Government grants of one-third when the funds now in their hands have been exhausted. I should have liked to have seen the total Budget provision for Public Health at last year's figure, but even as it is, we have made a considerable advance. I have already referred to the scheme for public health organisations in the districts. Another question of great importance is that of the rural water-supply and I am pleased to be able to tell the Council that we have increased the provision from Rs. 50,000 in the present year to Rs. 2½ lakhs in the coming year. A scheme by which Government will co-operate with local authorities in improving the water-supply of the Province has been elaborated and will be placed before District Boards very shortly. In furtherance of that scheme we anticipate that not more than Rs. 2½ lakhs will be required next year and we have accordingly provided for this amount. But I must point out that Government assistance in this matter is after all merely an earnest of Government's desire to stimulate local authorities in their endeavours to cope with this urgent problem. It is clear that an adequate supply of good water can never be supplied if the local people and local authorities rely mainly on Government subsidies. The real hope, in our opinion, lies in the

rapid expansion of Union Boards, the members of which will have a direct personal interest in making good the deficiencies of their local water-supply.

As regards kala-azar, promising results have already been obtained. Local bodies have interested themselves in organising anti-kala-azar measures and there has been a gratifying increase in the number of cases treated. The policy of Government is to encourage local bodies, to employ special kala-azar doctors, and also to train dispensary officers in the technique of diagnosis and the latest methods of treatment. Grants have been made to voluntary organisations who have done useful work in extending facilities for treatment in various parts of Bengal.

As regards anti-malarial measures, Government for the moment rely largely on the Central Anti-malarial Co-operative Society, of which Rai Bahadur Dr. G. C. Chatterji is the moving spirit, in enlightening the villagers as to the nature of the disease and the method of infection: most useful work has been done by the Society in organising branch societies by means of the subsidies placed at Rai Bahadur Dr. G. C. Chatterji's disposal by Government. His societies are based on the co-operative principle and their accounts are subject to audit.

The only new provisions under Agriculture proper in the Agriculture Budget are Rs. 25,000 for measures for the eradication of the water-hyacinth, and Rs. 6,000 odd for investigation into the possibilities of improving the date sugar industry in Bengal. Effect has been given after very full and detailed consideration to the recommendations of the Retrenchment Committee in so far as they were found possible in accordance with the determined policy of Government, but provision has of course to be made for the increments of salaries and normal expansion generally, and the Budget stands somewhat higher than last year. The provision of Rs. 25,000 for expenditure on water-hyacinth operations is not really a new charge. In the current year's budget there is a provision of Rs. 4,500 for the purpose. The water-hyacinth pest has become a serious menace to Bengal. It not only impedes navigation but has become a positive danger to cultivation. The experiments undertaken by the Agriculture Department with Griffiths' spray have established the efficacy of the spray in destroying the weed, but further investigations and experiments, which are necessary before it can be applied on a large scale, are being now carried on. The task of eradicating the pest, however, is of such magnitude that it is impossible for Government alone to undertake it with success. Much therefore depends on the co-operation of the public, local bodies, and other organisations for the success of a campaign against this plant. With this end in view, a committee consisting of officials and non-officials has been formed for devising measures for combating the evil.

As regards the scheme for the investigation of the possibilities of improving the date-sugar industry in Bengal, it may be noted that experiments in this direction have been undertaken for some time past. Provision for an expert officer for this purpose was made in the budget for 1922-23, but owing to the imperative necessity for economy this scheme had to be held over. It is now proposed to depute an officer of the Chemical Section during the cold weather of 1925-26 to make enquiries in localities where date-palms grow in abundance.

In his speech in the debate on the current year's budget the late Minister (Mr. Ghuznavi) explained in detail the policy underlying the working of the Agriculture Department and it is needless to go over the same ground again. It will suffice to say that the same policy is being continued so far as funds permit. One of the important items in that policy is the establishment of a farm in each district for the purposes of investigation, experiment, and demonstration. Next year it is proposed to establish two farms at Krishnagar and Malda, and provision for land acquisition and the construction of buildings has been made under "41- Civil Works." A farm is also proposed in the Chittagong Hill Tracts with special reference to the development of cotton cultivation. As indicated in the speech of the late Minister, steps have been taken to run the demonstration section of the farms on business lines. The contingent expenditure on the farms has also been scrutinised by an Accounts Officer with a view to curtailing all avoidable expenditure. The problem of agricultural education has also been engaging the serious consideration of Government. A recent conference of officials and non-officials, which was called to advise on the matter, has made some important recommendations on the subject of agricultural education in secondary schools. These recommendations are now receiving consideration.

Under Co-operative Credit we have provided the first instalment of expenditure on a scheme for entertaining additional staff for Co-operative Irrigation works in the Burdwan Division. The total expenditure is estimated at Rs. 1,14,000. The question of irrigation is of vital importance to agriculture in the high lands and comparatively dry tracts of Western Bengal. In a country where agriculture is dependent on a rainfall not well distributed throughout the cultivating season, the importance of irrigation is obvious. Thanks to the spirit of self-help and co-operation of the people and the wise guidance of their leaders, a remedy for this evil has been found in the re-excavation of irrigation tanks and the construction of irrigation works through co-operative credit societies. Gratifying progress has already been made in the districts of Bankura and Birbhum in the formation of co-operative irrigation societies and their example has spread to the neighbouring districts of Hooghly, Burdwan and Midnapore. On the 31st

January last there were no less than 180 such societies in existence in the Western Bengal districts. Approximately 52,000 bighas of land will be irrigated by these societies.

In the Industries Department there are two new schemes—the first is a grant to the Calcutta Blind School for the construction of buildings and purchase of equipment and furniture. This school, apart from being in an unsuitable rented house, has been affected by the operations of the Improvement Trust, and it is now intended to build new premises at Behala at a total cost of over Rs. 1½ lakhs. The Governors have raised substantial funds for this purpose and Government propose to give assistance to this scheme to the extent of half a lakh. The second is Rs. 43,000 for a new building for the Kanchrapara Technical School. The present arrangement under which the school is held in some of the rooms of the Indian Students' Hostel is unsatisfactory and the erection of a new school building is urgently required. We also intend to build a Research Laboratory for the Industrial Chemist in proximity to the premises of the Research Tannery. This officer is at present handicapped in his work in the absence of an independent and properly equipped laboratory. Provision for the scheme has been made in the Civil Works Budget.

Coming to "41—Civil Works" proper we intend to embark on schemes estimated eventually to cost about Rs. 14 lakhs, of which we propose to spend Rs. 9 lakhs in 1925-26. There are three schemes. The first concerns the Grand Trunk Road. This road between Howrah and Paltaghat is in poor condition and the attention of Government has repeatedly been drawn to this both by members of the Council and by the public. The bad state of the road is due entirely to the narrow width of the metalled surface and to heavy lorry traffic. It is now proposed to increase the metalled width to 24 feet and to effect other improvements to the surfacing at a cost of about Rs. 4 lakhs, of which it is proposed to spend Rs. 2 lakhs in 1925-26. The second deals with the roads on the Maidan. These compare very unfavourably with the asphalted roads of the Calcutta Corporation in Calcutta, but gradual improvements have been made by surfacing them with tar-macadam. A sum of Rs. 2,87,000 has been provided to carry on this work, and it is anticipated that this sum will be sufficient to pave with tar-macadam all the roads on the Maidan, except the Red Road and Queensway. This improvement will lead to a considerable saving in the cost of maintenance. The third main scheme is the Rishi Road between Teesta Bridge and Kalimpong. Government have a valuable estate at Kalimpong which they are converting into a residential area, but owing to the difficulty of access it has not so far become popular or remunerative. There is an existing cart road from the Teesta Valley to Kalimpong, but it is narrow and winding and is only fit for bullock carts and pack animals. The estimated cost of improving the road in order to make

it suitable for passengers and vehicles, is Rs. 4,20,000 excluding improvements to the Teesta Bridge, and a sum of Rs. 2,50,000 is proposed to be spent on this work in 1925-26. The execution of this work, together with improvements to the Teesta Bridge, will afford easy communication between Kalimpong and the plains, and it is expected that this will result in a considerable addition to the receipts from Government estates. Two smaller projects are the rebuilding of the bridge over the Haridaspur khal on the Calcutta-Jessore Road and the realignment of the Buxa Forest Road from Alipur-Duars to Rajabhatkhwa. A new subdivisional office and a residence for the Public Works Department officer at Kalimpong are also set down for construction in 1925-26. Lastly a reserve of Rs. 50,000 has been provided to pay the Government share of certain contribution works, including the Duars roads, and to meet unforseen charges in road work now in progress.

Turning to our loan programme we expect to recover in 1925-26 Rs. 8,08,000 in repayment of advances made to agriculturists, co-operative societies, municipalities and district boards together with loans under the Drainage and Embankment Act. Next year we propose to lend Rs. 7,30,000, including Rs. 1,00,000 for loans to co-operative irrigation societies, Rs. 90,000 for loans to weaving and industrial unions and societies, Rs. 2,25,000 for advances to agriculturists under the Land Improvement and Agricultural Loans Act and Rs. 2,49,000 to municipalities and district boards. This last item is made up almost entirely of a loan of Rs. 2,00,000 to the Dacca Municipality for their sewerage scheme. There are certain other schemes for which we should like to borrow, but until we are on a sound financial basis and have secured the remission of our contribution, we are not in a position as the Council will have realised from what I have said, to bear the charges of any loan. If our contribution is waived, proposals for borrowing will be put before the Council in the rains session.

There is little under the other heads requiring comment from me. They are dealt with at sufficient length in the financial statement. I may refer, however, to the expenditure in England by the High Commissioner, which shows an increase of Rs. 8 lakhs. This is due to the fact that we anticipate a larger number of officers on leave this year, while overseas pay, following on the recommendations of the Lee Commission, will now be paid in England. This must swell the High Commissioner's budget, but at the same time the other various budget heads are less than they would otherwise have been, by the transfer from them to the head of "Expenditure in England", of the amounts payable as overseas allowances.

I have now given a brief outline of our programme of new expenditure and of the more noticeable variations in the various budget heads, and I think the Council will realise that we have not been backward in paying attention to the wants of the transferred departments. The Council will, perhaps, desire to know how this new expenditure stands

in concrete figures as between the reserved and the transferred departments. The proposed new expenditure in 1925-26 is Rs. 58½ lakhs. This includes Rs. 8½ lakhs for Calcutta police buildings to be eventually recouped from a loan. The balance of Rs. 50 lakhs represents expenditure on schemes which will eventually cost on completion Rs. 71½ lakhs. All the schemes will not be completed in the coming year and a certain amount will have to be found in future years. In making a comparison between reserved and transferred departments, we must take this figure, the total ultimate expenditure of Rs. 71½ lakhs. Now, out of this sum and following the strictly technical division between reserved and transferred, Rs. 31½ lakhs have been allotted to the reserved and Rs. 40 lakhs to the transferred departments. This is more in favour of the transferred departments than it seems, for there are some items in the reserved budget which are really matters of a transferred character. There is the Rs. 83,000 for circle officers for work in the transferred departments, while a good deal of the Irrigation expenditure is connected with problems of drainage and sanitation. Then, again, there are items such as roads, bridges, waterworks and a farm (in the Chittagong Hill Tracts) which find a place in the reserved budget, because they are in reserved areas. If we exclude the non-recurring item Civil Works, the expenditure on which is fairly equally divided as between reserved and transferred departments—the reserved side gets under Rs. 15 lakhs and the transferred over Rs. 24 lakhs. If we take the expenditure for the year 1925-26 only, the figures are as follows:—Reserved Rs. 20 lakhs, Transferred Rs. 29½ lakhs; or, excluding Civil Works, Reserved Rs. 7 lakhs, Transferred Rs. 17½ lakhs. On these figures we may, I think, claim credit that Government have been attending to the needs of the transferred departments. I wish, and I speak for my colleagues as well as for myself, we could have done more. But the demands of these departments are so largely of a character that involves recurring expenditure and permanent charges on our revenues that it is not possible for us to proceed further until our financial position is settled, and that will not be until, in the first place, we secure the remission of our provincial contribution. Our case for such remission is overwhelming. I have shown that but for the remission we have enjoyed during the past three years and despite economy, retrenchment and taxation, we should have been in deficit every year, in 1922-23 to the extent of nearly Rs. 40 lakhs, in 1923-24 Rs. 24¼ lakhs, in the current year Rs. 26½ lakhs, and if we do not secure a further remission during the coming year, we should, without incurring any new expenditure at all, be in deficit to the extent of Rs. 30½ lakhs. We have approached the Government of India with the request that this remission be made permanent. To that request we have so far had no reply, but we expect that, when the Hon'ble the Finance Member of the Government of India presents his budget in the Legislative Assembly, he will make some announcement

on the subject. To our request there can be but one reply. Our peculiar financial position has been emphasised from the very beginning of the Reforms. The Joint Parliamentary Committee commented on the peculiar financial difficulties of Bengal and made a recommendation in our favour. The Government of India themselves recognised our difficulties and at a time when they themselves were in financial straits, we were granted a temporary remission. They themselves in 1921 admitted that even with every economy Bengal must have a deficit of Rs. 120 lakhs—a deficit which would have existed even if provision was made only for the bare minimum expenditure of the Province; in other words, the inequitable nature of the Meston Settlement so far as this Province was concerned was established. The remission which we secured reduced, but was far from wiping out, that deficit. We have done all we could to balance income and expenditure even with that remission, but if the contribution is not again remitted all our efforts will have been in vain. We can plead that we have done our best, we have endeavoured to secure equilibrium in our finances and we demand some recognition of our efforts. We have, I think, passed the test which the Hon'ble the Finance Member himself laid down two years ago. If the Government of India have a surplus and a reduction in provincial contributions is proposed, as was the case with the surplus last year, we can fairly claim the first place in any proposal of this kind. The justification of this claim lies in all the considerations which I have just put forward. We, however, do not base our claim on the possession of a surplus by the Government of India, that is a circumstance which does not affect our case but only renders it easier for justice to be done. We maintain, as we have always maintained, that the Meston Settlement was grossly unjust to Bengal. The injustice has been proved and admitted, and hence we claim as a matter of right the permanent remission of the contribution. Otherwise progress in Bengal will be at an end, the nation-building departments will again be starved, and all development will cease. We have sent Mr. Marr, who has been throughout in close touch with this question, as an official representative of Bengal on the Legislative Assembly. We have taken him from his work on the Improvement Trust, because of the great importance of this question, so that he may fight our battle with the Government of India at close quarters, and the Council may rest assured that he will not be wanting in every effort to pursue our claim to the utmost. And while I mention Mr. Marr, I should like here to pay a tribute to the work that he has done for us in the past. For the last five years he was Finance Secretary to this Government, and it was in his time that all the questions relating to the financial settlement of Bengal were decided. He had the difficult task of preparing the budgets of the Province during times of acute financial distress and I am sure the Council will agree that we are greatly

indebted to him for the excellent work that he did for us in those difficult times. We wish him all success in his new sphere of activity.

Sir, this completes my review of our financial position and our programme for the coming year. There is an element of uncertainty and we are at the moment in a state of anxiety which we hope will be dispelled before we conclude our deliberations on this budget. I am hopeful that we shall be successful and that the projects which are contained in the budget will, if the Council assents, be brought to completion. We should also then be in a position to make a further advance and to provide for some of the numerous outstanding wants of the Province, particularly in connection with education and public health. This will be later on in the year, but for the present I submit this budget for the consideration of the Council, and the Council will, I hope, acknowledge that we have done our best with the resources at our disposal.

[At this stage the Council was adjourned for 10 minutes.] After the adjournment.

The Hon'ble Sir ABD-UR RAHIM: Sir, the main head of the budget which is in my charge is the administration of justice. I have very few observations to make on it at the present stage. As the Council is aware, the main function of the Bengal Government, so far as the administration of justice is concerned, is to provide the means of meeting the expenses of the Courts, and for making arrangements for housing the courts and the judicial officers in the province. It is the High Court that is responsible for the actual administration of justice and it is for the High Court to propose the necessary arrangements for this purpose. It is in consultation with the High Court that we act throughout in making the required provisions.

I should like to point out one matter which may have been noticed by the hon'ble members relating to the budget of the High Court. They may have noticed that there are very few items and those only of minor importance that are now on the voted list. The bulk of the items of the High Court are non-voted. This is a change from the practice of previous years and has been brought about by the decision of His Excellency the Governor on the question that was raised whether the salaries of officers appointed by the Hon'ble the Chief Justice under the Letters Patent is votable or not. It has been decided that they are non-votable, and they have, therefore, been put down on the non-voted list. The hon'ble members may also have noticed that we have made provision for two additional judges of the High Court, but I ought to mention that only one appointment has hitherto been sanctioned and the desirability of making another additional appointment is still under consideration. No decision has been arrived at yet but provision has been made for the second additional judge and for his establishment in order to find the necessary money if the decision is made that there should be another additional judge.

I do not think that there is anything as regards the other courts in Calcutta which call for any special remarks at this stage, but I ought to mention to the House that the Courts of the Presidency Magistrates are working very smoothly since Mr. Roxburgh took over charge as the Chief Presidency Magistrate. He has introduced a great number of improvements; the office has been overhauled and I believe that the difficulties that occurred in the past are not likely to occur again. The cases are disposed of expeditiously and there are very few cases in which unnecessary adjournments are granted before disposal.

Coming to the mufassal courts, one question that interest many hon'ble members is the question of the new scheme for the recruitment of munsiffs. That scheme has not yet been worked out in detail—I mean the scheme has not reached the final stage as we have still to determine what rates of pay are to be given to the future recruits in the provincial judicial service. This question, as the House may remember, was raised by the report of the Retrenchment Committee in respect of the rates of salary both for members of the Provincial judicial service and the executive service. The whole question is one of great importance and is now under consideration. That is the main reason why the new scheme has not been completely worked out as yet. The House is aware that under the Civil Courts Act though the appointments of munsiffs are made formally by the Government it is the duty of the High Court to make the selections and these selections have to be accepted by the Government. I mention this because questions are often raised as to the appointments that are made to the provincial judicial service.

I am glad to be able to announce—as the hon'ble members will find in the budget—that we have been able to make some provision for buildings necessary for housing the courts in the mufassal. We have provided a sum of Rs. 1,88,000 for new expenditure on civil court buildings, the ultimate expenditure on which will amount to Rs. 2,50,000. I am in a position to inform the Council from my own observation as to the condition of things in this respect in Chandpur, Munshiganj and Chittagong. In these places new buildings are very urgently required. In Chandpur the munsiffs are housed in houses which are very badly ventilated and where even in the middle of the day it is so dark that it is impossible for the courts to do their work. The munsiffs' Court in Munshiganj is of a similar nature. As regards Chittagong what we propose to build is better accommodation for the pleaders, the room now used by them as sitting room and library being much too small to accommodate them. There are some other buildings which we are providing about which I cannot speak from my own personal observation, but which I know are badly needed from the reports we have received from the local officers.

Another question that has been often raised in this Council is with regard to the unsatisfactory nature of process serving. That, as every

one admits, is a matter requiring urgent solution if a solution can be found. The Civil Justice Committee presided over by the Hon'ble Mr. Justice Rankin had among other matters to consider this very important question. I believe that the committee had complaints made to them from almost all parts of India regarding the service of processes. I do not think the report of that committee is out yet as we have not received any copy of it but let us hope that they found themselves in a position to make some suggestion to improve the state of things in this respect.

I am glad to be able to tell the Council that we have been in a position to encourage the foundation of union benches and courts in Bengal in as many places as possible. The reports we have received from the officers are very reassuring in this respect. These benches and courts are doing useful work saving a lot of money in litigation to the poor people who can now have their smaller disputes settled at little cost in courts of summary jurisdiction in or very near their own villages. We proposed to provide for more of these courts as unions are started in different parts of the Province. If we can establish all over Bengal union courts in which the people have confidence then I am sure we shall be conferring a great boon on this Presidency.

I do not think there is any other matter to which I ought to refer in introducing my budget but I shall be very glad to answer any question which hon'ble members may desire to ask, as there may be points which I may have missed and which may require further information. I shall be at their disposal to answer any such question.

The Hon'ble Sir HUGH STEPHENSON : I only wish to say a few words regarding the two principal departments in my charge. Taking jails first, I do not propose to examine the statistics or to compare the figures of one year with that of another. The budget for the jails depends every year on two important factors, first on the number of prisoners and secondly on the cost of diet, and as these fluctuate all the figures in the jails budget fluctuate.

There are two points that I should like to draw attention to about the manufactures because the figures will show that there has been a considerable decrease in the amount provided for manufactures as compared with last year. The reason is that the jute mill in the Presidency Jail has been out of commission since last November and probably will not be able to work during the whole of the next year. The machinery has become defective; we have got to face the facts; we have got either to instal new machinery or to introduce another form of industry to keep the prisoners employed. The other industry that has been stopped is the bakery at Darjeeling. We have closed that down because the Cantonment at Darjeeling have started their own bakery and there is not sufficient demand to enable us to keep our bakery at

the jail going. We are opening a bakery in the Alipur jail in its place. The policy of the Jail Department is to keep the Jail Commission's Report in view and to carry out their recommendations as fast as we possibly can. We have established Advisory Boards which meet twice a year in all central jails and examine the conduct in jail of prisoners as also their previous history and the judgment in their cases with a view to the premature release of prisoners who have completed half their terms. The Boards have the power to recommend to Government the remission of the remainder of their sentences. This is one of the recommendations of the Jail Commission and the Boards have recommended a considerable number of remissions to which Government have given effect. The Jail Commission's recommendations may be divided into three parts—firstly, those relating to the improvement of the establishment, secondly, those relating to the improvement and the construction of buildings and thirdly, those relating to the care of prisoners during their term of imprisonment and afterwards. All these are naturally interdependent. You cannot have good jails unless you have a good staff. You cannot improve the conditions under which you keep your prisoners unless you improve the structural conditions of jails; and it is the improvement of the structure of the jails which is the most difficult of all. We have improved the pay and prospects of the warders. We have revised their pay. I cannot say that they show any very great satisfaction with the pay which we now give them. It may not be excessive, but undoubtedly it is considerably better than they used to get. We have also improved their prospects in many small ways and we hope in the coming year to carry out further small improvements such as giving them passes on the railway when they go on leave. We have also improved the prospects of our medical staff in the jails—the Assistant Surgeons and the Sub-Assistant Surgeons—but we have not yet done anything to improve the position of the Jailors and Assistant Jailors and the clerical staff. The Jail Commission recommend that the executive and the clerical staff should be entirely separate and they have laid down scales of pay which they consider suitable for each. We have examined all these, and we have cut down the scale a bit. We have examined them over and over again and two years ago we obtained the consent of the Finance Department to revised scales for the Jailors, the Assistant Jailors and the clerical staff. But as the Council is aware, for the last two years we have not been able to place in the budget any scheme involving recurring expenditure. We have, therefore, told the jailors that we have recognised their claims—that we are prepared to remedy their grievances but they must wait till our financial conditions improve. It is not a satisfactory position and as the Finance Member has explained, in the current budget the Reserved Departments have put forward no schemes which would involve recurring

expenditure. All the new recurring expenditure is for the Transferred Departments. We have refrained from putting before the Council any recurring expenditure on the Reserved side but if we get remission of the 63 lakhs which we are to contribute to the Government of India there would be a margin for recurring expenditure and I hope to be able to put before the Council in the July Session this question of the jailors and the assistant jailors and I am sure it will receive your sympathetic consideration. Hope deferred makes the heart sick. They have been told that they have a good case and the only reason that we are delaying is that our Exchequer is empty. I am sure when we have got the money we will do it.

Then as regards the buildings. We have considered the recommendations of the Jail Commission and have carefully revised our programme. We put in the first place a new jail for habitual prisoners and that will also enable us to improve the conditions under which female prisoners are kept. The proposal was to take over the Army Clothing Department and to build the new jail there, keeping in the present jail the shorter term prisoners and also the female prisoners under improved conditions. The scheme is at present held up because we are having correspondence with the Government of India as to the terms under which they will let us have the Army Clothing Department building. We reckon that this scheme will cost us something like 16 lakhs. The second thing which we consider most important is a Borstal Institute for Bengal. At present we have no place where we can segregate our adolescents. In the coming year we propose to make a start though it is not altogether satisfactory. We have at Hijli a new jail to hold about 100 prisoners. That jail is lying empty and I think this offers us a suitable opportunity for making a start in the Borstal Institute. We propose, therefore, to transfer our adolescent prisoners to Hijli and to run it on Borstal lines. There is at present no water-supply at Hijli. The Council may remember that the original scheme was to get the whole of the water-supply of the new station from Kharagpur, and when the new station was dropped the water-supply scheme was not carried out. Therefore, we have provided in the budget Rs 18,000 for the sinking of two tube wells and I hope that in July Session when the embargo on recurring expenditure will be done away with we shall come to the Council for an allotment of some Rs. 20,000 for the jail establishment at Hijli. While on this point, I do not know if any member of the Council knows the condition of the Juvenile jail in Calcutta but if any does, he will remember that there is room for considerable improvement there and we are hoping as soon as possible to take up that question. The main industry in the Juvenile jail is the making of quinine tablets. But it is not an industry in itself adopted to train juvenile prisoners to earn their living when they go outside the jail. We want to scrap that as soon as possible and in its place to start carpentering, weaving, blacksmiths work, etc.

[At this stage the Hon'ble the President vacated the Chair which was then occupied by the Deputy President.]

We want to run Juvenile jail more on the lines of a reformatory than a jail. This, of course, would involve considerable structural alterations. The present dormitories are most unsuitable and should certainly be scrapped and rebuilt on the lines of school dormitories. We should be able to take it up, as soon as we do away with the quinine tablet making industry there.

Another recommendation of the Jail Commission involves the building of new central jails, and converting district jails into sub-jails confining all the long-term prisoners in the new central jails to be built on modern lines so that there will be room for segregation of different classes of prisoners and room for recreation and more humanising conditions. We reckon that that programme will cost us Rs. 30 lakhs and it is third in our list. All we have been able to do so far is to build a new sub-jail at Patuakhali and extend the jail at Gaibandha. In making these new buildings we had in mind the recommendations of the Jail Commission. In the present budget we have made provision for the extension of the Asansol sub-jail and the Nowagaon sub-jail. Here, also, we shall be able to make some improvements on the lines of the Jail Commission's recommendations, but the immediate necessity of the projects is on account of the overcrowding in these two jails. The only other new expenditure that you will find in the budget is the provision for extending the municipal water-supply in Midnapur to the jail there. At present the jail depends for its water-supply on tanks and wells but as Midnapur has now got a water-supply it is certainly desirable to have the jail connected with it. Another item is to improve the water-supply of the Alipur Central jail. This will also, I hope, meet with the approval of the Council.

I now turn to the more controversial subject of the Police. We have in the present year kept within the Police Budget in spite of the fact that we have had to deal with extra expenditure on the C. I. D. and the Lee Commission's Report and an extra grant for petty repairs and for renewal of uniform equipments which can no longer be put off. The budget for the next year is 1¾ lakhs higher than the present year. This includes an increase of Rs. 3,00,000 over the budget of this year on the C. I. D. and the District Intelligence Branch in view of the abnormal political situation and half a lakh on account of the Lee Commission's recommendations. To counterbalance this we have reduced travelling allowances by two lakhs and contract contingencies by half a lakh. The abnormal features of the political situation and the Lee Commission's recommendations have obscured the endeavours we have made at retrenchment. When I discussed last year the retrenchment made in the police I made it quite clear that the effects of the Retrenchment

Committee's Report could not possibly be to stereotype police expenditure. The departmental expenditure must expand. It is in the nature of things. You cannot draw a line anywhere and say that it must expand so far and no further.

The effects of retrenchment was only to put the brake on the expansion of expenditure and to cut off excrescenses; and as I have pointed out before, there was always the danger that the retrenchment only postponed expenditure but did not avoid it. We can say this that if we had not retrenchment after the Retrenchment Committee's report, and I have already pointed out to this Council, and I may say it now, that the Police Department is one of the departments where we most earnestly tried to retrench, and if we had not retrenched to the extent of Rs. 7 lakhs or so, the police budget to-day would be very considerably higher than it is. We have had our stock-taking and besides the actual immediate retrenchments, that stock-taking has had the effect of making us scrutinise with the most zealous care all proposals for new expenditure but there must be expansion and growth.

Last year I said that the only item of the Retrenchment Committee's proposal that remained to be examined was the abolition of police-stations. Well, we have continued that examination and we have abolished 11 police-stations and we have 17 more under consideration. In every one of these instances we have had the most heated protests, by telegram or by memorial, from the persons concerned. Only yesterday, the Council will remember, one member asked me a question about the reduction of a police-station, obviously implying thereby that it was unsound to abolish this station. I may read an extract from a letter from a well-known journalist with regard to another police-station. He says: 'This station has been in existence for a long time and it is because of it that crimes are practically unknown in the locality. If it is abolished we shall have to run 15 miles for police help."

Babu MANMOHON NEOGI: Which station is it?

The Hon'ble Sir HUGH STEPHENSON: It is a station in Jessore.

It is gratifying to me to find that in spite of lurid speeches and writings, people in the mufassal do, in fact, regard the police not as oppressors but as protectors and they appreciate the advantages of living near a police-station.

As to new schemes, there is only one Bengal police building scheme in the budget, and that is a provision for family quarters for the constables in the lines at Jalpaiguri. These constables are hillmen and will not live without their families. At present, they are living with them in huts built by themselves around the police-station which everybody, who has seen them —I have not seen them myself but His Excellency had seen them a short time ago—says are most insanitary and are most

disgraceful to Government. The provision amounts to Rs. 46,000 which I am sure the Council will not grudge, in order to allow police constables to have the delights of home life.

The rest of the provisions in Public Works Department's budget are parts of the Calcutta police housing scheme. This scheme came up before the Council in August when I was not here, but I understand that there was no difference of opinion as to the urgent necessity of this housing scheme. If there is any member who doubts the necessity, I would like to take him round the police-stations and show him what they are at the present time. We put forward the scheme on the ground of urgent administrative necessity. At the present time we have almost all our police-stations housed in hired buildings. It is, to my mind, absolutely wrong that the police should be in the position of a tenant. The Commissioner of Police is sometimes faced with the termination of a lease. What can he do? He is, on the one hand, exposed to the temptation of putting pressure on the landlord to continue the lease; on the other hand, he is open to pressure by the landlord who knows that there is no other building in the neighbourhood where the police can be housed and, therefore, he has got the Commissioner in the hollow of his hand and that is a position, in which, I maintain, no Government ought to put any administrative officer. That is as regards the question of hiring. Secondly, we are having the rents steadily increasing. While the Rent Act was in force, we used it, but the Rent Act no longer applies to any of our police-stations. Then, Sir, apart from the question of hiring, with regard to the question of accommodation we have police-stations which are not only absolutely unsuitable for housing any body of police, but also even cannot hold a part of the men that are necessary in that section—the rest of them are either housed in different places in the neighbourhood or have to be housed in other thanas, a couple of miles away. It is impossible to have real efficiency, it is impossible to have real discipline when your men are scattered about. I would ask any member of the Council to go round and see whether these buildings are at all suitable for any body of men being placed in them. They are, for the most part, ordinary dwelling houses built for residences and not suitable for police barracks and so on. The accommodation is not sufficient and men have sometimes to sleep on the verandahs and their health suffers, and, as I say, it is impossible to maintain the proper amount of discipline so long as the police are in this position. We have circulated a memorandum, explaining the scheme, and in drawing up this memorandum we have endeavoured to be absolutely scrupulous in taking into consideration every possible factor which could go against us on the financil point of view. We have taken all the criticisms that were made in the debate in August last and if members of Council will study that memorandum I think they will agree that we have succeeded in showing that apart from its administrative necessity the scheme will be a financial gain. I understand that the main

rock on which the proposal struck in August last was the feeling that if this money was given to the police, in some way or other, the Transferred Departments might suffer. I think that after hearing the Financial Member's speech this afternoon, you will agree that the Transferred Departments have been generously treated and when we have a proposal which is absolutely and urgently necessary on the ground of administration, health and convenience and in addition we can show that the scheme is a financially remunerative scheme and that we propose to recoup the expenditure by a loan from the Government of India, I do trust that the Council will allow that scheme to go through this year.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur: The first head with which my Department is concerned it that of "5—Land Revenue."

So far as charges of Administration are concerned, there is little to be said. Provision is made in the budget to carry on the work done under various Acts, and the Financial Statement explains the reasons for the increased grant which the Council is asked to give. Owing to a temporary reduction in work, it was found possible to keep the post of one Land Acquisition Officer vacant since the 7th April. But the work has again increased, and an I. C. S. Officer will be appointed from the middle of March as First Land Acquisition Collector.

A large part of the expenditure on the Management of Government Estates is met from the 9½ per cent. on the collection of these Estates which after the deduction of recurring grants to hospitals and dispensaries is allowed to the Board of Revenue for the cost of management and agricultural improvements. Owing to the increased cost of establishment; the cost of management has been encroaching on the amount which should be set aside for agricultural improvements. It was hoped in this budget to allow the Board a further 1½ per cent. but unfortunately this has not been found possible. A sum of Rs. 50,000 is provided for the annual allotment for agricultural public works such as irrigation and drainage works and embankments. For colonisation work in the Bakarganj and 24-Parganas Sundarbans sums of Rs. 1,11,000 and Rs. 33,000 are provided, the total being similar to that provided last year. The value of this work was made clear in the Land Revenue Administration Report of last year, which showed that in the Bakarganj Sundarbans 102 square miles had been fully colonised and assessed; the annual demand from this assessed area in 1923-24 was already Rs. 91,000 and will ultimately rise to more than Rs. 2,11,000.

The apparent increase in the demand for the grant for Management of Government Estates is explained in the Financial Statement, as due to a change in classification of the payment of cesses. Apart from this there is no further change which requires comment.

I will now turn to Survey and Settlement. In 1921 in response to representations made in the Council, the Revenue Member undertook that, in order to reduce the annual cost, the four-party system on which survey and settlement operations were formerly conducted would be changed to a two-party system. In the present year two traverse survey parties have been working in the Murshidabad-Birbhum area and in the 24-Parganas. Three blocks of the former and two of the latter will be completed this year, and next year one party will take up the fourth and last block of Birbhum district and the other the third block in the 24-Parganas.

Similarly there are two field parties carrying on the settlement work in the blocks which have been traverse surveyed. Attestation in one block of Murshidabad-Birbhum will be finished early in 1925-26; cadastral survey and the preliminary preparation of the record will be finished in the second block early next year, and will then be followed by attestation, whilst cadastral survey and preliminary record-writing will be taken up in the third block. In the 24-Parganas the first stage has already begun in the Basirhat Subdivision block and will be finished early 1925-26. Attestation will then begin there, and cadastral survey and record-writing will start in the second block.

Besides these main operations provision is also made in the budget for finishing off operations in other districts in which the field work is practically complete, but case work, printing, recovery of costs, diara resumption, resettlement of Government and temporarily-settled estates, and so on, still remain. Jessore will be completely finished this year, but a sum of Rs. 1,800 is provided for the work that remains to be done in Bankura, and half a lakh in Nadia. In Pabna-Bogra, though the field work of the main settlement is finished, where the resettlement of Government and temporarily-settled estates along the Jamuna river is due, work will continue throughout next year and probably will not be completed till 1926-27. In Khulna, the attestation of the last block will be finished early in 1925-26, but printing, recovery of costs, case work, etc., will remain and will not be finished till 1926-27 or 1927-28.

The operations which have so far been mentioned are all connected with the regular district settlements. Besides these there are minor operations of both survey and settlement. In the jungly parts of Chittagong, traverse survey has to be done where cultivation has been extended since the last settlement. In Bakarganj and Darjeeling districts, provision has to be made for the completion of survey work of Government estates and tea estates, which is expected to be finished by June. The survey of the Bidyadhari for the Calcutta Corporation will probably be completed within this financial year, but a survey of a boundary between Rangpur and Goalpara districts at the request of the Maharaja of Cossimbazar and the Raja of Goalpara will be continued next year.

Of minor settlement operations, the most important is Chittagong. This district consists as to two-thirds of its area of Government estates which were last settled 30 years ago and they are now due for resettlement. But they are so intricately mixed up with the permanently-settled estates that at the last settlement, maps and records were prepared for the whole district. These are being used and brought up to date and on the basis of the fresh record thus prepared the Government estates will be reassessed to revenue. The district has been divided into four blocks. The work has started in "A" block consisting of a number of thanas in the centre of the district. In 1925-26 this block will be completed and the second block consisting mainly of the Cox's Bazar subdivisions will be taken up.

In Bakarganj and Darjeeling, resettlement and the preparation of records will follow the surveys I have already mentioned, and provision has been made for them.

The reasons for the variations in the revised estimate for the current year and the new budget estimate have been given in the Financial Statement, and need not be repeated. The net result is that the demand for the grant which will be made for the coming year is Rs. 56,000 less than the amount provided in last year's budget. The effect of the substitution of a two-party for a four-party system may be seen by a comparison of the cost of major survey and settlement operations now and in the last year when the four-party system was in force. The Survey and Settlement Report for the year ending 30th September, 1921, showed that the actual cost of the major operations in that year was Rs. 3,44,000 for survey and Rs. 21,92,000 for settlement; the amounts provided in the budget for next year's major operations are Rs. 1,60,500 for survey and Rs. 15,67,000 for settlement.

I would now turn to "General Administration". The sub-heads which concern the Revenue Department are the Board of Revenue, Commissioners, District Administration and other establishment (the Appointment Department is also concerned in these, *e.g.*, the appointment of Circle Officers concerns them). The variations in expenditure have been explained in the Financial Statement, and little more need be said. It may be noted that the explanation of the increase under the head "Board of Revenue" is due to the increment of pay in the Board's office (Rs. 4,000) and in the establishment of private estates (Rs. 1,000). The contingencies account for an increase of Rs. 1,000 and the rest of the excess over this year's revised estimate is due to minor items. The only items of new expenditure for which Revenue Department is responsible are the acquisition of a plot of land already acquired by the Krishnagar Municipality at a cost of Rs. 3,353, and the maintenance of storm-warning signals at inland stations at a cost of Rs. 300. This latter item represents the cost of five experimental stations at the cost of Rs. 60 each. The object is to warn boats of

approaching storms by the use of simple signals and lights. If found successful, the system will be extended later to other important inland river stations.

The plot of land which it is proposed to acquire at Krishnagar was originally acquired by the Krishnagar Municipality for widening a road and making a park. The Civil Court enhanced as award from Rs. 617 to Rs. 2,852 and the municipality asked Government to take over the land, as it is immediately adjacent to the Government ferry; Government agreed to pay the whole charge amounting to Rs. 3,353.

This accounts for a part of the increased demand for other establishments. The charge for circuit houses, which is mentioned in the Financial Statement, accounts for Rs. 26,000, the rest of the increase is due to ferry charges.

I should now say something about the Forest Department. In the Bengal Presidency Forest Manual it is said that a forest fulfils its highest function when it produces in a permanent fashion the greatest possible quantity of that material which is most useful to the general public, and at the same time yields the best possible return to the proprietor. It is the policy of this Government to endeavour, within the limits imposed by financial considerations, to enable the forests of Bengal, to fulfil this function. It may be claimed that some success has been achieved in the past, for whilst 50 years ago the expenditure was Rs. 1,11,000 and the revenue Rs. 1,64,000, in 1923-24 the revenue was Rs. 22,61,000 and the expenditure Rs. 12,42,000. The increase in the revenue is a measure of the services which the forests have rendered to the public, and the same public have been benefited by the increase in the net revenue from half a lakh to more than 10 lakhs. But the growth in expenditure is also significant, for it shows that the more money the Council is able to give to the Forest Department, the more money is that department likely to make available for the needs of the Province. It may be said without fear of contradiction that expenditure on the forests is revenue-producing.

It is, therefore, a matter of regret that it has not been possible to provide in the budget any part of the two lakhs which the Conservator of Forests requires for schemes of development, for the construction of roads and paths, bridges and culverts, the removal of obstacles which impede the traffic in rivers, the construction of rest-houses and quarters for the men working in the forests, and the purchase of material and machinery, all of which are so essential to development. But if more money becomes available, this department will take the earliest opportunity of asking for a further grant for this purpose. For the present, the demand placed before the Council is only for carrying on the work on the scale which has already been achieved; in fact, whilst the estimates provide for a slight increase in revenue, the total estimated

expenditure, both voted and non-voted, is considerably less than either the budget or revised estimate of the current year. There are only two items of new expenditure; both are non-voted, but it may interest the Council to hear that it is proposed to provide Rs. 15,000 for the purchase of a tractor, with recurring charges of Rs. 1,690. This will at first be used at Bagdogra, ten miles from Siliguri, where labour is difficult to get, for the extraction of logs from the forest and hauling them to the railway station; it will also be used for ploughing clear-felled areas for replanting. It is hoped that by the use of this tractor not only will the outturn be increased, but that there will also be a saving of Rs. 10,000 a year in the cost of extraction and cultivation.

The other item of new expenditure is an honorarium of Rs. 1,500 which is to be paid to Mr. Cowan, Deputy Conservator of Forests, now on leave, who is engaged in the revision of Mr. Gamble's list of trees, the last edition of which was published in 1895 and needs bringing up to date.

It is proposed to conduct khedda operations in the Chittagong Division next year, and a sum of Rs. 30,000 has been provided to meet the cost. It is not easy to estimate the probable receipts of such a venture, but the inclusion of Rs. 40,000 on the revenue side shows the amount which it is hoped to secure from the sale of elephants. It is, however, necessary in the interest of cultivators living near the forests to keep down the number of wild elephants, and it is not merely for the sake of profit that these khedda operations are undertaken.

Cinchona plantation has come in for some comment in past years. It would not be out of place to say something about our policy.

In the Resolution on the Sixty-second Annual Report of the Cinchona Plantations it was stated that the policy of Government is to maintain and, if possible, extend the Cinchona Plantations and at the same time improve and develop the factory, in order to meet the requirements of the Province. Subsequent inquiry shows that it may be possible to find new areas suitable for the Cinchona plant, within workable distance from the factory, and the Superintendent has been asked to carry out experiments. Meanwhile, the advice of the Public Health Department is being obtained as to the demand for quinine in Bengal, and it will be the endeavour of Government to produce sufficient quinine to meet this demand. It is not anticipated that there will be any difficulty in expanding the capacity of the factory when required, and this of course will take less time than growing the Cinchona bark for conversion into quinine. In the meantime it is hoped to make minor improvements in the factory which will enable it to turn out better finished products. Action has already been taken to improve the packing of quinine sulphate in powder form, regarding which there have been complaints.

The budget estimates for next year need little comment. The slight decrease of Rs. 1,000 for voted and increase of Rs. 1,000 for non-voted expenditure require no explanation. It is, perhaps, sufficient to draw the attention of the Council to the fact that whilst the total expenditure in 1923-24 was little more than Rs. 3,35,000, the receipts were over Rs. 7,92,000. The money spent on the Cinchona plantations therefore yields a handsome return to the Province.

Under the head of Civil Works there are six items of expenditure concerning the Revenue Department for which the Council is being asked to provide funds. It is proposed to construct residences for the second officer in Netrakona and Patuakhali subdivisions and for the Sub-Deputy Collectors at Netrakona and Chandpur. The reason is the same for all these residences, *viz.*, that officers who are posted to these places find it impossible to obtain houses to live in. The schemes for the construction of these residences have been awaiting the provision of funds for several years, and the same is true of the other schemes for which a grant is now asked. The extension of the Dacca Collectorate has long been overdue. At present not only the Road Cess Office, but also the Excise Office, the Office of the District Inspector of Schools and two Courts of Honorary Magistrates are accommodated in the District Board Office. The District Board naturally require their building for their own work, especially for the accommodation of the Public Health staff. The Police Office again is at present occupying a private building for which rent is paid. The need of providing further accommodation is, therefore, urgent.

The necessity of providing more office room at Malda has been urged upon Government for several years. The room in which the Superintendent of Police's office has to work is very inadequate, and it is proposed to construct a new forms room for the Magistrate's courts and to convert the existing forms room into an office for the Superintendent of Police at a cost of Rs. 11,600.

The other item is the extension of the subdivisional court building at Netrakona in Mymensingh district. At present there is no record room, and the court of the Honorary Magistrates has to be held in a temporary shed. It is proposed to extend the main court building at a cost of Rs. 15,670 in order to meet these needs.

Both during last year and this the policy of the Irrigation Department has been to reduce expenditure and to complete works in hand. The recommendations of the retrenchment officer have been fully carried out: establishment has been reduced as low as possible and working expenses have been curtailed to the lowest limits. Special attention has been given to the working of the dredgers and substantial economies have been effected. There is, however, a limit below which it is not possible to go without reducing the efficiency of open works: the activities of the department are extending over wider areas and works which used to be looked

after by the Roads and Buildings Branch have been transferred to this Department. New subdivisions have been opened in Bankura and Birbhum to look after the construction of small irrigation works and a third subdivision has been opened at Rajshahi for the purpose of keeping under observation the area which suffered during the floods of 1918 and 1922.

The revenue from tolls and water-rates has been increased but the full effect will not be disclosed for several years.

On the other hand the fact has to be faced that heavy expenditure is required on the rebuilding of the bridges over the canals round Calcutta; the rapid deterioration of the rivers in the western Sundarbans is a serious matter and until the Grand Trunk Canal is opened the cost of dredging these rivers will rise at a rapidly increasing rate.

Under Head XIII is included the Midnapore, Hijli and Calcutta and Eastern Canals, the Madaripur Bhil Route and repairs to dredgers. Over and above normal maintenance charges the following items are included in the current year's budget. The Kaorapukar lock and sluice and the Arapanch drainage works will be completed: the construction of a new bridge over the Circular Canal to carry the Dum-Dum Road and to replace the present bridge is being carried out by the Calcutta Improvement Trust on behalf of Government: three-fifths of the cost is being met by Government and the remainder in equal proportions by the Improvement Trust and Calcutta Corporation. It is expected that this bridge will be opened early next financial year.

The Tollygunj and Alipore bridges are both in a very weak condition and will have to be closed to traffic shortly to prevent a serious accident: it is proposed to erect wider bridges to carry present-day loads: the question of the division of the expenditure between Government and the Improvement Trust and Calcutta Corporation is under discussion. The budget contains an item for preliminary expenditure.

In the case of the Madaripur Bhil the cost of maintenance has been raised because the floods of 1924, which exceeded previous records, caused considerable damage to the embankment.

Next year the final payment for the Dum-Dum bridge will be made and the reconstruction of the Tollygunj and Alipore bridges will be proceeded with: a new office for the Calcutta Canals subdivision will be built to take the place of the one acquired by the Improvement Trust in connection with the Shambazar Park: new quarters for the Subdivisional Officer at Madaripur are also required because no quarters exist and suitable accommodation cannot be found. The dredging of the Doa

Agra must also be done as this river is in very bad condition and navigation is impeded: on the boat canals the Bhangore Khal requires silt clearance at once because traffic is much impeded due to boats grounding.

On the Madaripur Bhil the estimate is above normal on account of flood damage repairs to the embankment which will not be completed during the current year.

The "Cowley" dredger is also due for a thorough overhaul.

Under Head 15 is entered the upkeep of all works not included under XIII. On the Eden Canal the maintenance charges in both years are normal except for the remodelling of the Chowbera bridge on the Memari road, the arch of which is on the point of collapse: this work will be commenced this year and finished next year: a provision has also been made for partial silt clearance of the Saraswati. Under new works the Jamalpur sluice will be modified so that an additional supply of water can be secured in the monsoon for flushing the old river beds in the Burdwan and Hooghly districts. An item has also been included for building a new regulator on the Kana Damodar for irrigation, the cost of which will be equally borne by Government and the estate benefited.

Under miscellaneous expenditure Rs. 2,000 have been entered for the completion of the surveys of the Dolong irrigation scheme in Midnapore and Rs. 16,000 for pensionary charges.

In connection with navigation, drainage and embankments the following special provisions have been made: The completion of the excavation of the Hoorhoora Khal in the Howrah and Hooghly districts to release the Damodar floods into the Rupnarain river and the completion of the Arapanch drainage scheme. The maintenance of D schedule embankments is higher than usual because the breaches near Ghatal caused by the large flood of 1922 are being filled. It is also proposed to silt clear the Bally Khal to improve the drainage of the Dankuni basin concerning which complaints have been received.

In regard to next year the Hoorhoora Khal will be completed by the "Cowley" dredger which will then be diverted to the Buxi Khal to widen and deepen it so as to give an improved outlet for the Damodar floods. The work already done in this vicinity has caused a considerable improvement in the drainage of the country and it is expected that as soon as the Hoorhoora and Buxi Khals have been completed they will of themselves improve. It is also proposed to take up and complete the Amirabad scheme in the Contai subdivision which has been held in abeyance for some time for want of money. The sum entered for ordinary maintenance will again be above the average, because money is required

for completing the filling in of the breaches near Ghatal. If this money is not forthcoming the work done during the current year will be washed away by the floods.

Head 16 is the head to which all expenditure on capital account charged to Revenue is accounted. There is no change during the current year in the amount in the budget which totals 4½ lakhs and will be distributed as follows:—

		Rs.
Completion of the drainage of the Lower Kumar river	...	3,58,000
Compensation for crops on the Madaripur Bhil	...	6,000
Completion of the drainage of the Bidyadhari river	...	86,000

Next year the expenditure under this head will be much smaller being Rs. 1,55,000. This sum is required for the following purposes:—

Rs. 15,000 for compensation for crops on the Lower Kumar river which will be a liability outstanding from the current year.

Rs. 40,000 for the excavation of two sidings on the Madaripur Bhil Route in the narrow portion to enable vessels to pass one another without difficulty. If these sidings are provided the widening of the rest of the route can be postponed for the present.

Rs. 1,00,000 for the construction of sluices and locks on the Madaripur Bhil Route in order to control the supply of water so as to flush the Lower Kumar river and thus reduce future expenditure for dredging.

Head 55 includes the Grand Trunk Canal and purchase of the "Cowley" and "Burdwan" dredgers. For the former the budget estimates for the current year was Rs. 63,000 mostly for establishment and the upkeep of the "Ronaldshay" dredger. The establishment provision has been considerably reduced on the abolition for the time being of the post of Chief Engineer. Certain awards on account of previous land acquisition however have been given against Government and the total estimate is now raised to Rs. 1,10,000. Against the "Cowley" and "Burdwan" dredgers the expenditure will be Rs. 3,000 only due to an outstanding liability which has to be paid to the contractors at home. The receipts on capital account are now placed at Rs. 2,12,000 instead of Rs. 2,85,000. This reduction is due to the fact that the "Burdwan" dredger has been lying up for the greater portion of the year and the "Cowley" has also been idle for several months.

In regard to next year the expenditure on the Grand Trunk Canal is estimated at Rs. 20,000 on the assumption that work does not proceed. This item includes Rs. 11,000 for establishment, Rs. 6,000 for the upkeep of the "Ronaldshay" and Rs. 3,000 for petty repairs. Against the "Cowley" dredger a sum of Rs. 11,500 has been entered for spare parts to be ordered from home and for small alterations to this vessel. The receipts on capital account are placed at Rs. 2,83,000 on the assumption that the works on which it is anticipated that these two dredgers will be employed will be taken up.

I think I have made the position of my departments fairly clear. If any member of the Council would like further information, Mr. Hopkyns, Mr. Addams-Williams or myself will be only too glad to explain if he would come and see us.

Adjournment.

The Council was then adjourned till 3 P.M. on Thursday, the 26th February, 1925, at the Town Hall, Calcutta.

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